



Reports of Cases

Judgment of the General Court (Third Chamber) of 4 June 2015 — Yoo Holdings v OHIM — Eckes-Granini Group (YOO)

(Case T-562/14)

(Community trade mark — Opposition proceedings — Application for Community word mark YOO — Earlier national and international word marks YO — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

1. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Likelihood of confusion with the earlier mark — Criteria for assessment (Council Regulation No 207/2009, Art. 8(1)(b)) (see paras 16, 17, 39)*
2. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Similarity between the goods or services in question — Complementary nature of the goods or services (Council Regulation No 207/2009, Art. 8(1)(b)) (see paras 20, 21)*
3. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Similarity of the marks concerned — Criteria for assessment (Council Regulation No 207/2009, Art. 8(1)(b)) (see para. 29)*
4. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Likelihood of confusion with the earlier mark — Word marks YOO and YO (Council Regulation No 207/2009, Art. 8(1)(b)) (see paras 41-45)*
5. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Likelihood of confusion with the earlier mark — Weak distinctive character of the earlier mark — Effect (Council Regulation No 207/2009, Art. 8(1)(b)) (see para. 47)*

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 29 April 2014 (Case R 762/2013-2) concerning opposition proceedings between Eckes-Granini Group GmbH and Yoo Holdings Ltd.

Operative part

The Court:

1. Dismisses the action;
2. Orders Yoo Holdings Ltd to pay the costs.