

Pleas in law: Infringement of Articles 8(1)(b) and 53(1)(a) of Regulation No 207/2009

Action brought on 28 May 2014 — August Storck v OHIM — Chiquita Brands (Fruitfuls)

(Case T-367/14)

(2014/C 261/57)

Language in which the application was lodged: English

Parties

Applicant: August Storck KG (Berlin, Germany) (represented by: I. Rohr, A.-C. Richter, P. Goldenbaum and T. Melchert, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: Chiquita Brands LLC (Charlotte, United States)

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the Fifth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 27 March 2014 in Case R 1580/2013-5;
- Order the defendant to pay its own costs and those of the applicant, and, should Chiquita Brands LLC intervene in the proceedings, order Chiquita Brands LLC to pay its own costs.

Pleas in law and main arguments

Registered Community trade mark in respect of which an application for revocation has been made: The word mark 'Fruitfuls' for goods in Class 30 — Community trade mark registration No 5 014 519

Proprietor of the Community trade mark: The applicant

Party applying for revocation of the Community trade mark: Chiquita Brands LLC

Decision of the Cancellation Division: The trade mark was revoked

Decision of the Board of Appeal: The appeal was dismissed

Pleas in law: Infringement of Article 51(1)(a) of Regulation No 207/2009.

Action brought on 23 May 2014 — Petropars and Others v Council

(Case T-370/14)

(2014/C 261/58)

Language of the case: English

Parties

Applicants: Petropars Ltd (Teheran, Iran); Petropars International FZE (Dubai, United Arab Emirates); and Petropars UK Ltd (London, United Kingdom) (represented by: S. Zaiwalla, P. Reddy and Z. Burbeza, Solicitors, and R. Blakeley, Barrister)