

**Action brought on 11 July 2014 — Laboratoire Nuxe v OHIM — NYX, Los Angeles (NYX)****(Case T-537/14)**

(2014/C 329/30)

*Language in which the application was lodged: French***Parties***Applicant:* Laboratoire Nuxe (Paris, France) (represented by: M. Antoine-Lalance, lawyer)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)*Other party to the proceedings before the Board of Appeal:* NYX, Los Angeles Inc. (California, United States)**Form of order sought**

— Annul the decision of the Fifth Board of Appeal of the Office for Harmonisation in the Internal Market (OHIM) of 8 April 2014 in Case R 1575/2013-5;

— Order OHIM to pay the costs.

**Pleas in law and main arguments***Applicant for a Community trade mark:* NYX, Los Angeles Inc.*Community trade mark concerned:* International registration designating the European Union of the figurative mark including the word element 'NYX' for goods in Class 3 — international registration designating the European Union No 11 052 316*Proprietor of the mark or sign cited in the opposition proceedings:* Applicant*Mark or sign cited in opposition:* Word mark 'NUXE' for goods and services in Classes 3 and 44*Decision of the Opposition Division:* Opposition upheld*Decision of the Board of Appeal:* Decision of the Opposition Division annulled and the opposition rejected*Pleas in law:* Infringement of Article 8(1)(b) of Regulation No 207/2009

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**Action brought on 16 July 2014 — Peri v OHIM (Multiprop)****(Case T-538/14)**

(2014/C 329/31)

*Language of the case: German***Parties***Applicant:* Peri GmbH (Weißenhorn, Germany) (represented by M. Eck and A. Bognár, lawyers)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs)**Form of order sought**

The applicant claims that the Court should:

— Annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 29 April 2014 in Case R 1661/2013-1;

— Order OHIM to pay the costs.