

- Infringement of Article 7(1)(c) of Regulation No 207/2009;
- Misuse of powers by a decision on the basis of competition policy considerations

**Action brought on 11 August 2014 — Laverana v OHIM (ORGANIC PROTEIN RICH PLANT
COMPLEX FROM OUR OWN PRODUCTION)**

(Case T-609/14)

(2014/C 361/36)

Language of the case: German

Parties

Applicant: Laverana GmbH & Co. KG (Wennigsen, Germany) (represented by J. Wachinger, M. Zöbisch and D. Chatterjee, 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 Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 2 June 2014 in case R 123/2014-4;
- order the Office for Harmonisation in the Internal Market (Trade Marks and Designs) to pay the costs

Pleas in law and main arguments

Community trade mark concerned: Figurative mark which contains the word elements 'ORGANIC PROTEIN RICH PLANT COMPLEX FROM OUR OWN PRODUCTION' for goods and services in Classes 3, 5 and 35 — Community trade mark application No 11 922 986

Decision of the Examiner: Refused the application

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law:

- Infringement of Article 7(1)(b) of Regulation No 207/2009;
- Infringement of Article 7(1)(b) and (c) of Regulation No 207/2009;
- Infringement of Article 7(1)(c) of Regulation No 207/2009;
- Misuse of powers by a decision on the basis of competition policy considerations

Action brought on 11 August 2014 — Laverana v OHIM (BIO ORGANIC)

(Case T-610/14)

(2014/C 361/37)

Language of the case: German

Parties

Applicant: Laverana GmbH & Co. KG (Wennigsen, Germany) (represented by J. Wachinger, M. Zöbisch and D. Chatterjee, lawyers)