

**Action brought on 27 October 2014 — Hersill v OHIM — KCI Licensing (VACUP)****(Case T-741/14)**

(2014/C 448/46)

*Language in which the application was lodged: English***Parties***Applicant:* Hersill, SL (Móstoles, Spain) (represented by: M. Aznar Alonso, lawyer)*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)*Other party to the proceedings before the Board of Appeal:* KCI Licensing, Inc. (San Antonio, United States)**Details of the proceedings before OHIM***Applicant:* The other party to the proceedings before the Board of Appeal*Trade mark at issue:* Community trade mark application No 9 943 499*Procedure before OHIM:* Opposition proceedings*Contested decision:* Decision of the Second Board of Appeal of OHIM of 14 August 2014 in Case R 1520/2013-2**Form of order sought**

The applicant claims that the Court should:

- declare the present appeal as well founded and annul the contested decision;
- order OHIM and the other party to the proceedings before the Board of Appeal, should they appear as parties in the present process, to pay the costs.

**Pleas in law**

- Infringement of Article 42(2) of Regulation No 207/2009 and of Rule 22(3) of Regulation No 2868/95;
  - Infringement of Article 8(1)(b) of Regulation No 207/2009.
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