

2) *Heidrick & Struggles International Inc.* is ordered to pay the costs.

⁽¹⁾ OJ C 129, 28.4.2014.

Action brought on 18 November 2014 — Actega Terra v OHIM — Heidelberger Druckmaschinen (FoodSafe)

(Case T-766/14)

(2015/C 046/68)

Language in which the application was lodged: German

Parties

Applicant: Actega Terra GmbH (Lehrte, Germany) (represented by: C. Onken, lawyer)

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

Other party to the proceedings before the Board of Appeal: Heidelberger Druckmaschinen AG (Heidelberg, Germany)

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: the applicant

Trade mark at issue: the Community word mark 'FoodSafe' — Community trade mark No 9 502 551

Procedure before OHIM: Invalidity proceedings

Contested decision: Decision of the Fourth Board of Appeal of OHIM of 8 September 2014 in Case R 2440/2013-4

Form of order sought

The applicant claims that the Court should:

- alter the contested decision to the effect that the Cancellation Division's decision of 14 October 2013, filing number 6912 C, is annulled and the application for a declaration that Community trade mark No 9 502 551 is invalid is rejected;
- in the alternative, annul the contested decision;
- order OHIM to pay the costs.

Pleas in law

- Infringement of Article 7(1)(c) of Regulation No 207/2009;
- Infringement of Article 52(1)(a) of Regulation No 207/2009;
- Infringement of Article 76(1) of Regulation No 207/2009.

Action brought on 17 November 2014 — Boomkwekerij van Rijn-de Bruyn v CPVO — Artevos and Dachverband Kulturpflanzen- und Nutztiervielfalt (Oksana)

(Case T-767/14)

(2015/C 046/69)

Language in which the application was lodged: Dutch

Parties

Applicant: Boomkwekerij van Rijn-de Bruyn BV (Uden, Netherlands) (represented by: P. Jonker, lawyer)