

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: The applicant

Design at issue: Community design for 'thermosiphon' products — Community design No 593959-0002

Contested decision: Decision of the Third Board of Appeal of OHIM of 10 October 2014 in Case R 1273/2013-3

Forms of order sought

The applicant claims that the Court should:

- Join the present case to the action brought by the applicant against the decision in Case R 1272/2013-3 of OHIM, since that decision is identical to that contested in the present action;
- Annul the contested decision in so far as Community design No 593959-0002 was declared invalid because it lacked individual character and, consequently, declare valid that design without remitting the matter to OHIM for the third time;
- Annul the contested decision of OHIM in so far as it ordered Antrax It Srl to pay the costs;
- Order OHIM and Vasco Group BVBA, jointly and severally, to pay Antrax It Srl, costs, compensation and legal fees, together with any additional sums required by law;
- Order Vasco Group BVBA to pay Antrax It Srl the costs, compensation including technical compensation and legal fees incurred by the latter in the proceedings before OHIM together with any additional sums required by law;
- Declare Article 1(d) of Regulation No 216/96 to be incompatible with Article 41 of the Charter of Fundamental Rights of the European Union.

Pleas in law and main arguments

- The pleas in law and main arguments are the same as those relied on in Case T-828/14.

Action brought on 22 December 2014 — Alnapharm v OHIM — Novartis (Alrexil)

(Case T-839/14)

(2015/C 065/66)

Language in which the application was lodged: English

Parties

Applicant: Alnapharm GmbH & Co. KG (Hamburg, Germany) (represented by: H. Heldt, lawyer)

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

Other party to the proceedings before the Board of Appeal: Novartis AG (Basel, Switzerland)

Details of the proceedings before OHIM

Applicant: The other party to the proceedings before the Board of Appeal

Trade mark at issue: Community word mark 'Alrexil' — Application for registration No 10 306 249

Procedure before OHIM: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of OHIM of 23 October 2014 in Case R 1723/2013-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision and refer the case back to the Board of Appeal of OHIM;
- order OHIM to pay the costs.

Plea in law

- Infringement of Article 8(1)(b) of Regulation No 207/2009.

Action brought on 23 December 2014 — International Gaming Projects v OHIM — British Sky Broadcasting Group (Sky BONUS)

(Case T-840/14)

(2015/C 065/67)

Language in which the application was lodged: English

Parties

Applicant: International Gaming Projects Ltd (Valletta, Malta) (represented by: M. Garayalde Niño, lawyer)

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

Other party to the proceedings before the Board of Appeal: British Sky Broadcasting Group plc (Isleworth, United Kingdom)

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: Community figurative mark containing the word elements 'Sky BONUS' — Application for registration No 10 734 549

Procedure before OHIM: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of OHIM of 23 October 2014 in Case R 2040/2013-4

Form of order sought

The applicant claims that the Court should:

- Partially annul the contested decision and grant registration of CTM application 'Sky BONUS';
- Order OHIM to pay the costs.

Pleas in law

- Infringement of Articles 8(1)(b), 8(4) and 8(5) of Regulation No 207/2009.

Action brought on 22 December 2014 — Airpressure Bodyforming v OHIM (Slim legs by airpressure bodyforming)

(Case T-842/14)

(2015/C 065/68)

Language of the case: German

Parties

Applicant: Airpressure Bodyforming GmbH (Berchtesgaden, Germany) (represented by: S. Merz, lawyer)