

**Operative part of the judgment**

The Court:

1. Dismisses the appeal;
2. Orders Yoshida Metal Industry Co. Ltd to pay the costs.

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<sup>(1)</sup> OJ C 389, 23.11.2015.

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**Judgment of the Court (Third Chamber) of 17 May 2017 — European Union Intellectual Property Office v Deluxe Entertainment Services Group Inc.**

(Case C-437/15 P) <sup>(1)</sup>

**(Appeal — EU trade mark — Figurative mark containing the word element ‘deluxe’ — Refusal of registration by the examiner)**

(2017/C 239/07)

Language of the case: Spanish

**Parties**

Appellant: European Union Intellectual Property Office (represented by: S. Palmero Cabezas, Agent)

Other party to the proceedings: Deluxe Entertainment Services Group Inc. (represented by: L. Gellman, advocate, and M. Esteve Sanz, abogada)

**Operative part of the judgment**

The Court:

1. Sets aside the judgment of the General Court of the European Union of 4 June 2015, *Deluxe Laboratories v OHIM (deluxe)* (T-222/14, not published, EU:T:2015:364);
2. Refers the case back to the General Court of the European Union;
3. Reserves the costs.

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<sup>(1)</sup> OJ C 346, 19.10.2015.

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**Judgment of the Court (Second Chamber) of 18 May 2017 (request for a preliminary ruling from the Oberlandesgericht Düsseldorf — Germany) — Hummel Holding A/S v Nike Inc., Nike Retail BV**

(Case C-617/15) <sup>(1)</sup>

**(Reference for a preliminary ruling — Intellectual property — Regulation (EC) No 207/2009 — EU trade mark — Article 97(1) — International jurisdiction — Action for infringement brought against an undertaking with its seat in a third country — Second-tier subsidiary with its seat in the Member State of the court seised — Definition of ‘establishment’)**

(2017/C 239/08)

Language of the case: German

**Referring court**

Oberlandesgericht Düsseldorf

**Parties to the main proceedings**

Applicant: Hummel Holding A/S

Defendant: Nike Inc., Nike Retail BV