

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Bank Tejarat to pay the costs.

⁽¹⁾ OJ C 302, 14.9.2015.

Judgment of the General Court of 8 March 2017 — Raffhaelo Gutti v EUIPO — Transformados del Sur (CAMISERIA LA ESPAÑOLA)

(Case T-504/15) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU figurative mark CAMISERIA LA ESPAÑOLA — Earlier national figurative mark representing two crossed flags — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2017/C 129/29)

Language of the case: Spanish

Parties

Applicant: Raffhaelo Gutti, SL (Loja, Spain) (represented by: I. Sempere Massa, lawyer)

Defendant: European Union Intellectual Property Office (represented by: B. Uriarte Valiente and A. Schifko, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Transformados del Sur, SA (Seville, Spain) (represented by: M. Salas Martin, lawyer)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 2 July 2015 (Case R 2424/2014-4), relating to opposition proceedings between Transformados del Sur and Raffhaelo Gutti.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Raffhaelo Gutti, SL to pay the costs.

⁽¹⁾ OJ C 354, 26.10.2015.

Judgment of the General Court of 8 March 2017 — Biernacka-Hoba v EUIPO — Formata Bogusław Hoba (Formata)

(Case T-23/16) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU figurative mark Formata — Absolute ground for invalidity — Absence of bad faith — Article 52(1)(b) of Regulation (EC) No 207/2009 — Relative ground for invalidity — Likelihood of confusion — Article 53(1)(a) and Article 8(1)(a) and (b) of Regulation (EC) No 207/2009)

(2017/C 129/30)

Language of the case: Polish

Parties

Applicant: Ilona Biernacka-Hoba (Aleksandrów Łódzki, Poland) (represented by: R. Rumpel, lawyer)