

Defendant: European Union Intellectual Property Office (represented by: M. Rajh, acting as Agent)

Other parties to the proceedings before the Board of Appeal of EUIPO: Pedro Núñez Martín (Madrid, Spain) and Carmen Guillermina Machado Montesinos (Madrid)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 28 July 2015 (case R 2578/2014-4) relating to opposition proceedings between, on the one hand, Mr Núñez Martín and Ms Machado Montesinos and, on the other, Kozmetika Afrodita.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Kozmetika Afrodita d.o.o. to pay the costs.

⁽¹⁾ OJ C 406, 7.12.2015.

Judgment of the General Court of 28 September 2016 — The Art Company B & S v EUIPO — G-Star Raw (THE ART OF RAW)

(Case T-593/15) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU word mark THE ART OF RAW — Earlier national and EU figurative marks art and earlier EU figurative mark The Art Company — Relative ground for refusal — No likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2016/C 419/58)

Language of the case: English

Parties

Applicant: The Art Company B & S, SA (Quel, Spain) (represented by: J. Villamor Muguerza, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO: G-Star Raw CV (Amsterdam, Netherlands)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 9 July 2015 (Case R 1980/2014-1), relating to opposition proceedings between The Art Company B & S and G-Star Raw.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders The Art Company B & S, SA to pay the costs.

⁽¹⁾ OJ C 414, 14.12.2015.