

Reports of Cases

Judgment of the General Court (Fifth Chamber) of 28 September 2016 —

LLR-G5 v EUIPO — Glycan Finance (SILICIUM ORGANIQUE G5 LLR-G5)

(Case T-539/15)

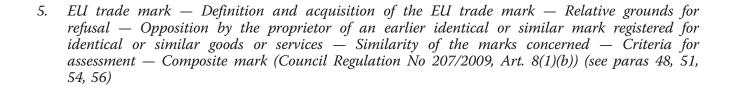
(EU trade mark — Opposition proceedings — Application for figurative EU trade mark SILICIUM ORGANIQUE G5 LLR-G5 — Earlier international word marks Silicium Organique G5- Glycan 5-Si-Glycan-5-Si-G5 and Silicium Organique G5 — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

- 1. EU trade mark Definition and acquisition of the EU trade mark Relative grounds for refusal Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services Likelihood of confusion with the earlier mark Criteria for assessment (Council Regulation No 207/2009, Art. 8(1)(b)) (see paras 21-23, 80)
- 2. EU trade mark Definition and acquisition of the EU trade mark Relative grounds for refusal Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services Likelihood of confusion with the earlier mark Figurative mark SILICIUM ORGANIQUE G5 LLR-G5 Word marks Silicium Organique G5-Glycan 5-Si-Glycan-5-Si-G5 and Silicium Organique G5 (Council Regulation No 207/2009, Art. 8(1)(b)) (see paras 25, 26, 81)
- 3. EU trade mark Definition and acquisition of the EU trade mark Relative grounds for refusal Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services Similarity between the goods or services in question Criteria for assessment (Council Regulation No 207/2009, Art. 8(1)(b)) (see para. 29)
- 4. EU trade mark Definition and acquisition of the EU trade mark Relative grounds for refusal Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services Similarity of the marks concerned Visual similarity between a figurative mark and a word mark (Council Regulation No 207/2009, Art. 8(1)(b)) (see para. 46)



ECLI:EU:T:2016:571

INFORMATION ON UNPUBLISHED DECISIONS



Re:

ACTION brought against the decision of the First Board of Appeal of EUIPO of 11 June 2015 (Case R 291/2014-1), relating to opposition proceedings between Glycan Finance Corp. and LLR-G5.

Operative part

The Court:

- 1. Dismisses the action;
- 2. Orders LLR-G5 Ltd to pay the costs.

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