

Contested decision: Decision of the First Board of Appeal of OHIM of 18 March 2015 in Case R 1412/2014-1

Form of order sought

The applicant claims that the Court should:

- Annul the contested decision;
- Order OHIM to pay its own costs and those incurred by the applicant.

Plea in law

- Infringement of Articles 15(1) and 15(2) of Regulation No 207/2009.

Action brought on 29 June 2015 — Bach Flower Remedies v OHIM — Durapharma (RESCUE)

(Case T-337/15)

(2015/C 294/93)

Language in which the application was lodged: English

Parties

Applicant: Bach Flower Remedies Ltd (Wimbledon, United Kingdom) (represented by: I. Fowler, Solicitor)

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

Other party to the proceedings before the Board of Appeal: Durapharma ApS (Stenstrup, Denmark)

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: Community word mark 'RESCUE' — Community trade mark registration No 6 473 755

Procedure before OHIM: Proceedings for a declaration of invalidity

Contested decision: Decision of the First Board of Appeal of OHIM of 26 March 2015 in Case R 2551/2013-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order that the costs of the proceedings be borne by the defendant, and in case the other party before the Board of Appeal joins the proceedings, the intervener.

Plea in law

- Infringement of Article 52(1)(a) in conjunction with Articles 7(1)(b) and (c) and 7(3) of Regulation No 207/2009.
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