

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: Three-dimensional Community trade mark (Shape of an articulated stirrup) — Community trade mark No 1 599 620

Procedure before OHIM: Invalidity proceedings

Contested decision: Decision of the First Board of Appeal of OHIM of 22 April 2015 in Case R 520/2015-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- reject web2get GmbH & Co. KG's application for a declaration that the applicant's Community trade mark No 1 599 620 is invalid;
- order OHIM to pay the costs.

Pleas in law

- Infringement of Article 52(1)(a) in conjunction with Article 7(1) of Regulation No 207/2009;
- Infringement of Article 52(1)(a) and (2) in conjunction with Article 7(3) of Regulation No 207/2009;
- Infringement of Article 7(1)(e)(i) and (ii) of Regulation No 207/2009;
- Infringement of Article 76(1) of Regulation No 207/2009;
- Infringement of Article 77(1) of Regulation No 207/2009.

Action brought on 17 July 2015 — PAL-Bullermann v OHMI — Symaga (PAL)

(Case T-397/15)

(2015/C 302/85)

Language in which the application was lodged: English

Parties

Applicant: PAL-Bullermann GmbH (Friesoythe-Markhausen, Germany) (represented by: J. Eberhardt, lawyer)

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

Other party to the proceedings before the Board of Appeal: Symaga, SA (Villarta de San Juan, Spain)

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: Community figurative mark 'PAL'— Community trade mark registration No 690 750

Procedure before OHIM: Proceedings for a declaration of invalidity

Contested decision: Decision of the First Board of Appeal of OHIM of 7 May 2015 in Case R 1626/2014-1

Form of order sought

The applicant claims that the Court should:

- alter the contested decision so that the application for revocation is upheld in its entirety;
- impose the costs to the defendant and the other party.

Pleas in law

- Infringement of Article 15(1)(a) of Regulation No 207/2009;
 - Infringement of Rule 22(3)(4) of Regulation No 2868/95.
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