

**Form of order sought**

The applicant claims that the Court should:

- annul only paragraphs 3 and 4 of the contested decision;
- confirm the decision of the Opposition Division of OHIM of 30 May 2014 concerning opposition No B 1 900 540 in its entirety, except for the part relating to compensation of expenses;
- order the other party to pay the costs, including the costs of all proceedings before OHIM.

**Plea in law**

- Infringement of Article 8(1)(b) of Regulation No 207/2009.

---

**Action brought on 10 August 2015 — Guccio Gucci v OHIM — Guess? IP Holder (Representation of interlaced signs)**

**(Case T-461/15)**

(2015/C 328/29)

*Language in which the application was lodged: English*

**Parties**

*Applicant:* Guccio Gucci SpA (Florence, Italy) (represented by: P. Roncaglia, F. Rossi and N. Parrotta, lawyers)

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

*Other party to the proceedings before the Board of Appeal:* Guess? IP Holder LP (Los Angeles, United States)

**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:* Figurative mark (Representation of interlaced signs) — Community trade mark No 5 538 012

*Procedure before OHIM:* Proceedings for a declaration of invalidity

*Contested decision:* Decision of the Fourth Board of Appeal of OHIM of 27 May 2015 in Case R 2049/2014-4

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order OHIM to pay the costs incurred by the applicant during these proceedings;
- order Guess? IP Holder L.P. to pay the costs incurred by the applicant in the proceedings before both the OHIM Cancellation Division and the Board of Appeal.

**Pleas in law**

- Infringement of Article 75 of Regulation No 207/2009;
- Infringement of Article 8(1)(b) of Regulation No 207/2009;
- Infringement of Article 8(5) of Regulation No 207/2009.

---

**Action brought on 14 August 2015 — Capella v OHIM — Abus (APUS)****(Case T-473/15)**

(2015/C 328/30)

*Language in which the application was lodged: German***Parties**

*Applicant:* Capella EOOD (Sofia, Bulgaria) (represented by: F. Henkel, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Abus August Bremicker Söhne KG (Wetter/Volmarstein, Germany)

**Details of the proceedings before OHIM**

*Applicant:* Capella EOOD

*Trade mark at issue:* Community word mark 'APUS' — Application for registration No 10 415 511

*Procedure before OHIM:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of OHIM of 2 June 2015 in Case R 117/2014-4

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision and refer the case back to the Board of Appeal;