

Defendant: European Union Intellectual Property Office (represented by: L. Rampini and D. Walicka, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO: Porcesadora Nacional de Alimentos C. A. Pronaca (Quito, Ecuador)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 7 March 2016 (Case R 1039/2015-2), concerning opposition proceedings between Porcesadora Nacional de Alimentos C. A. Pronaca and Convivo.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Convivo GmbH to bear its own costs and to pay the costs incurred by the European Union Intellectual Property Office (EUIPO).

⁽¹⁾ OJ C 260, 18.7.2016.

Judgment of the General Court of 25 April 2018 — Walfood v EUIPO — Romanov Holding (CHATKA)

(Case T-312/16) ⁽¹⁾

(EU trade mark — Opposition proceedings — International registration designating the European Union — Word mark CHATKA — Earlier international figurative mark CHATKA — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001) — Genuine use of the earlier mark — Article 42(2) and (3) of Regulation No 207/2009 (now Article 47(2) and (3) of Regulation 2017/1001))

(2018/C 200/41)

Language of the case: English

Parties

Applicant: Walfood SA (Luxembourg, Luxembourg) (represented by: E. Cornu, lawyer)

Defendant: European Union Intellectual Property Office (represented by: J. Crespo Carrillo, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Romanov Holding, SL (La Moraleja, Spain) (represented by: S. García Cabezas and R. Fernández Iglesias, lawyers)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 21 March 2016 (Case R 2870/2014-5), relating to opposition proceedings between Romanov Holding and Walfood.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Walfood SA to pay the costs.

⁽¹⁾ OJ C 305, 22.8.2016.