

Defendant: European Union Intellectual Property Office (represented by: M. Rajh, Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Wings Software BVBA (Heist-Op-den-Berg, Belgium) (represented by: C. Dekoninck and J. Bussé, lawyers)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 26 April 2016 (Case R 436/2015-5), relating to opposition proceedings between Wings Software and Asna.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Asna, Inc. to pay the costs.

⁽¹⁾ OJ C 335, 12.9.2016.

Judgment of the General Court of 6 October 2017 — Falegnameria Universo dei F.lli Priarollo v EUIPO — Zanini Porte (silente PORTE & PORTE)

(Case T-386/16) ⁽¹⁾

(EU trade mark — Revocation proceedings — EU figurative mark silente PORTE & PORTE — Genuine use — Place of use — Nature of use — Use by third parties — Declaration of revocation — Right of defence — Articles 75 and 76 of Regulation (EC) No 207/2009 — Article 51(1)(a) of Regulation No 207/2009)

(2017/C 402/37)

Language of the case: Italian

Parties

Applicant: Falegnameria Universo dei F.lli Priarollo Snc (Caerano di San Marco, Italy) (represented by: B. Osti, lawyer)

Defendant: European Union Intellectual Property Office (represented by: S. Di Natale and L. Rampini, Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Zanini Porte SpA (Bosco Chiesanuova, Italy) (represented by: A. Rizzoli, lawyer)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 28 April 2016 (Case R 240/2015-1) concerning revocation proceedings between Zanini Porte and Falegnameria Universo dei F.lli Priarollo.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Falegnameria Universo dei F.lli Priarollo to pay the costs.

⁽¹⁾ OJ C 383, 17.10.2016.