

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 3 March 2016 (Case R 137/2015-4), relating to opposition proceedings between Coffee In and Keturi kambariai.

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders UAB Keturi kambariai to pay the costs.

⁽¹⁾ OJ C 270, 25.7.2016.

**Judgment of the General Court of 23 October 2017 — Galletas Gullón v EUIPO — O2 Holdings
(Shape of a packet of biscuits)**

(Case T-404/16) ⁽¹⁾

(EU trade mark — Revocation proceedings — Three-dimensional EU trade mark — Shape of a packet of biscuits — Declaration of revocation — Extent of use — No alteration of distinctive character)

(2017/C 412/37)

Language of the case: English

Parties

Applicant: Galletas Gullón, SA (Aguilar de Campoo, Spain) (represented by: I. Escudero Pérez, 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: O2 Holdings Ltd (Slough, United Kingdom) (represented by: J. Rebling, Solicitor)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 19 May 2016 (Case R 1613/2015-4), relating to revocation proceedings between O2 Holdings Ltd and Galletas Gullón.

Operative part of the judgment

The Court:

1. Annuls the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 19 May 2016 (Case R 1613/2015-4), relating to revocation proceedings between O2 Holdings Ltd and Galletas Gullón;
2. Orders EUIPO and O2 Holdings Ltd to pay the costs.

⁽¹⁾ OJ C 343, 19.9.2016.