

Judgment of the General Court of 29 June 2017 — Mr. Kebab v EUIPO – Mister Kebap (Mr. KEBAB)**(Case T-448/16) ⁽¹⁾****(EU trade mark — Opposition proceedings — Application for registration of the EU figurative mark Mr. KEBAB — Earlier Spanish figurative mark MISTER KEBAP — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)**

(2017/C 277/63)

Language of the case: Slovak

Parties*Applicant:* Mr. Kebab s. r. o. (Košice-Západ, Slovakia) (represented by: L. Vojčík, lawyer)*Defendant:* European Union Intellectual Property Office (represented by: A. Folliard-Monguiral and R. Cottrellovú, acting as Agent)*Other party to the proceedings before the Board of Appeal of EUIPO:* Mister Kebap, SL (Finestrat, Spain)**Re:**Action brought against the decision of the 2nd Board of Appeal of EUIPO of 11 May 2006 (Case R 987/2015-2), relating to opposition proceedings between Mister Kebap and Mr. Kebab.**Operative part of the judgment***The Court:*

1. Dismisses the action;
2. Orders Mr. Kebab s. r. o. to pay the costs.

⁽¹⁾ OJ C 383, 17.10.2016.**Judgment of the General Court of 28 June 2017 — X-cen-tek v EUIPO (Representation of a triangle)****(Case T-470/16) ⁽¹⁾****(EU trade mark — Application for an EU figurative mark representing a triangle — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009)**

(2017/C 277/64)

Language of the case: German

Parties*Applicant:* X-cen-tek GmbH & Co. KG (Wardenburg, Germany) (represented by: H. Hillers, lawyer)*Defendant:* European Union Intellectual Property Office (represented by: A. Schifko, acting as Agent)**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 17 June 2016 (Case R 2565/2015-4), concerning an application for registration of a figurative sign representing a triangle as an EU trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders X-cen-tek GmbH & Co. KG to pay the costs.

⁽¹⁾ OJ C 383, 17.10.2016.

**Judgment of the General Court of 28 June 2017 — Colgate-Palmolive v EUIPO
(AROMASENSATIONS)**

(Case T-479/16) ⁽¹⁾

(EU trade mark — Application for EU figurative mark AROMASENSATIONS — Absolute ground for refusal — No distinctive character — Article 7(1)(b) and (2) of Regulation (EC) No 207/2009)

(2017/C 277/65)

Language of the case: English

Parties

Applicant: Colgate-Palmolive Co. (New York, New York, United States) (represented by: M. Zintler and A. Stolz, lawyers)

Defendant: European Union Intellectual Property Office (represented by: A. Folliard-Monguiral and M. Simandlova, acting as Agents)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 6 June 2016 (Case R 2482/2015-2), concerning an application for registration of the figurative sign AROMASENSATIONS as an EU trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Colgate-Palmolive Co. to pay the costs.

⁽¹⁾ OJ C 383, 17.10.2016.

Judgment of the General Court of 6 July 2017 — Bodson and Others v EIB

(Case T-506/16) ⁽¹⁾

(Civil service — EIB staff — Contractual nature of the employment relationship — Remuneration — Reform of the system of remuneration and salary progression — Legitimate expectations — Legal certainty — Manifest error of assessment — Proportionality — Duty to have regard for the welfare of staff — Article 11(3) of the Rules of Procedure of the EIB)

(2017/C 277/66)

Language of the case: French

Parties

Applicants: Jean-Pierre Bodson (Luxembourg, Luxembourg) and the 483 other applicants whose names are listed in the annex to the judgment (represented by: L. Levi, lawyer)