

**Details of the proceedings before EUIPO**

*Proprietor of the trade mark at issue:* Applicant

*Trade mark at issue:* EU figurative mark No 5 481 403

*Procedure before EUIPO:* Invalidity proceedings

*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 16 March 2018 in Case R 2241/2016-2

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision in so far as it declared the contested EU trade mark to have expired for the following goods and services:

Class 9 — CDs; DVDs; computer programs and software, in particular software for the exchange, storage, reproduction and systematic capture of data;

Class 16 — Printed matter included in Class 16, excluding printed matter customised with personal photos (in particular photo books, photo calendars, photo canvases, photo puzzles, photo notebooks and photo folders);

Class 38 — Providing access to a computer database for downloading information via electronic media (the Internet); computer-aided transmission of messages and images;

Class 40 — Bookbinding;

- order EUIPO to pay the costs.

**Pleas in law**

- Infringement of Article 58(1)(a) and (2), in conjunction with Article 18(1), of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 19(1), in conjunction with Article 10, of Commission Delegated Regulation (EU) 2017/1430.

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**Order of the General Court of 16 May 2018 — C & J Clark International v Commission**

(Case T-230/16) <sup>(1)</sup>

(2018/C 240/72)

*Language of the case:* English

The President of the Third Chamber has ordered that the case be removed from the register.

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<sup>(1)</sup> OJ C 260, 18.7.2016.

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