

Action brought on 10 March 2016 — Messe Friedrichshafen v EUIPO — El Corte Inglés (Out Door)**(Case T-224/16)**

(2016/C 232/44)

*Language in which the application was lodged: German***Parties***Applicant:* Messe Friedrichshafen GmbH (Friedrichshafen, Germany) (represented by: W. Schulte Hemming, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* El Corte Inglés, SA (Madrid, Spain)**Details of the proceedings before EUIPO***Applicant:* Messe Friedrichshafen GmbH*Trade mark at issue:* EU figurative mark in black, yellow and orange containing the word element 'Out Door' — Application for registration No 6 938 864*Proceedings before EUIPO:* Opposition proceedings*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 8 February 2016 in Case R 2302/2011-2**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision in so far as it refuses the registration of the trade mark 'Out Door' (Registration No: 006938864) in respect of goods and services in classes 9, 16, 25, 28, 35, 37, 38, 41, 42, 43 and 45;
- in the alternative, annul the contested decision in so far as it refuses the trade mark 'Out Door' (Registration No: 006938864) in respect of the following goods and services in class 35:

'arranging and conducting of congresses, conferences, seminars and workshops, trade fairs and exhibitions for commercial and advertising purposes, including on the Internet and other electronic media; organisation of participation in exhibitions; sales promotion and brokering of trade, service and business contacts and commercial transactions for consumer goods and industrial products on the Internet and other electronic media, including by means of a virtual trade fair; providing and rental of floor space and exhibition stands, including associated equipment (included in this class); advertising for exhibitors; decoration of exhibition stands and platforms';

- order EUIPO to pay the costs incurred by the applicant.

Pleas in law

- Infringement of Article 8(1)(b) of Regulation No 207/2009;
 - Infringement of Article 76 of Regulation No 207/2009.
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