

— order EUIPO and the intervener to pay the costs.

Plea in law

— Infringement of Article 8(1)(b) and 8(5) of Regulation No 207/2009.

Action brought on 9 November 2016 — Krasnyiy oktyabr v EUIPO — Kondyterska korporatsiia ‘Roshen’ (CRABS)

(Case T-795/16)

(2017/C 006/67)

Language in which the application was lodged: English

Parties

Applicant: Moscow Confectionery Factory ‘Krasnyiy oktyabr’ OAO (Moscow, Russia) (represented by: O. Spuhler and M. Geitz, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Dochirnie pidpriemstvo Kondyterska korporatsiia ‘Roshen’ (Kiev, Ukraine)

Details of the proceedings before EUIPO

Applicant: Other party to the proceedings before the Board of Appeal

Trade mark at issue: International registration designating the European Union in respect of the figurative mark containing the word element ‘CRABS’ — Application for registration No 1 186 110

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 11 August 2016 in Case R 2507/2015-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

Plea in law

— Infringement of Article 8(1)(b) of Regulation No 207/2009.

**Action brought on 11 November 2016 — CEDC International v EUIPO — Underberg
(Representation of a greeny-brown blade of grass in a bottle)**

(Case T-796/16)

(2017/C 006/68)

Language in which the application was lodged: English

Parties

Applicant: CEDC International sp. z o.o. (Oborniki Wielkopolskie, Poland) (represented by: M. Siciarek, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)