

Article 6(1)(c) of Directive 2011/83 must be interpreted as meaning that, although that provision requires traders to make available to consumers a means of communication capable of satisfying the criteria of direct and effective communication, it does not preclude those traders from providing other means of communication than those listed in that provision in order to satisfy those criteria.

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(<sup>1</sup>) OJ C 112, 26.3.2018.

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**Judgment of the Court (Fourth Chamber) of 3 July 2019 — Viridis Pharmaceutical Ltd. v European Union Intellectual Property Office (EUIPO), Hecht-Pharma GmbH**

**(Case C-668/17 P) (<sup>1</sup>)**

**(Appeal — European Union trade mark — Revocation proceedings — Word mark Boswelan — No genuine use — Use of the mark in a clinical trial prior to filing an application for authorisation to place a medicinal product on the market — Proper reason for non-use — Concept)**

(2019/C 305/09)

*Language of the case: German*

**Parties**

*Appellant:* Viridis Pharmaceutical Ltd. (represented by C. Spintig, S. Pietzcker and M. Prasse, Rechtsanwälte)

*Other parties to the proceedings:* European Union Intellectual Property Office (EUIPO) (represented by S. Hanne, acting as Agent), Hecht-Pharma GmbH (represented by J. Sachs and C. Sachs, Rechtsanwälte)

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Viridis Pharmaceutical Ltd to pay, in addition to its own costs, those incurred by the European Union Intellectual Property Office (EUIPO) and Hecht-Pharma GmbH.

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(<sup>1</sup>) OJ C 83, 5.3.2018.

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