



## Reports of Cases

### Order of the Court (Tenth Chamber) of 17 May 2018 — Banca Monte dei Paschi di Siena and Banca Widiba v EUIPO

(Case C-684/17 P)

(Appeal — Article 181 of the Rules of Procedure of the Court of Justice — EU trade mark — Opposition proceedings — Application for registration of the word mark WIDIBA — Rejection of the application for registration)

1. *Appeal — Grounds — Grounds which are manifestly inadmissible or manifestly unfounded — Dismissal at any point, by reasoned order, without an oral procedure*  
*(Rules of Procedure of the Court of Justice, Art. 181)*  
*(see para. 3)*
  
2. *Appeal — Grounds — Mere repetition of the pleas and arguments put forward before the General Court — Error of law relied on not identified — Inadmissibility*  
*(Art. 256(1) TFEU; Statute of the Court of Justice, Art. 58, first para.; Rules of Procedure of the Court of Justice, Art. 112(1), first para., (c))*  
*(see para. 4)*
  
3. *EU trade mark — Appeals procedure — Action before the EU judicature — Jurisdiction of the General Court — Review of the lawfulness of decisions of the Boards of Appeal — Re-examination of the facts in the light of evidence not previously submitted before EUIPO bodies — Not included*  
*(Council Regulation No 207/2009, Art. 65)*  
*(see para. 4)*
  
4. *EU trade mark — Appeals procedure — Action before the EU judicature — Modification of the terms of the dispute as brought before the Board of Appeal — Not permissible*  
*(Council Regulation No 207/2009, Art. 65)*  
*(see para. 4)*

5. *Appeal — Grounds — Incorrect assessment of the facts and evidence — Inadmissibility — Review by the Court of the assessment of the facts and evidence — Possible only where the clear sense of the evidence has been distorted*

*(Art. 256(1) TFEU; Statute of the Court of Justice, Art. 58, first para.)*

*(see para. 4)*

### **Operative part**

1. The appeal is dismissed as being in part manifestly inadmissible and in part manifestly unfounded.
2. Banca Monte dei Paschi di Siena SpA and Wise Dialog Bank SpA (Banca Widiba SpA) shall bear their own costs.