

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 29 November 2016 (Case R 959/2016-4), relating to opposition proceedings between Tpresso and Italytrade.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Italytrade Srl to pay the costs.

⁽¹⁾ OJ C 104, 3.4.2017.

Judgment of the General Court of 18 May 2018 — Italytrade v EUIPO — Tpresso (teaespresso)

(Case T-68/17) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the EU word mark teaespresso — Earlier international figurative mark TPresso and earlier international word mark TPRESSO — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8 (1)(b) of Regulation (EU) 2017/1001))

(2018/C 240/41)

Language of the case: English

Parties

Applicant: Italytrade Srl (Bari, Italy) (represented by: N. Clemente, lawyer)

Defendant: European Union Intellectual Property Office (represented by: L. Rampini, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the Court: Tpresso SA (Zürich, Switzerland) (represented by L. Biglia and R. Spagnolli, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 29 November 2016 (Case R 1099/2016-4), relating to opposition proceedings between Tpresso and Italytrade.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Italytrade Srl to pay the costs.

⁽¹⁾ OJ C 104, 3.4.2017.