

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 11 October 2016 (Case R 690/2016-2) relating to opposition proceedings between ITM Entreprises and Equivalenza Manufactory

Operative part of the judgment

The Court:

1. Annuls the decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 11 October 2016 (Case R 690/2016-2);
2. Orders EUIPO to bear its own costs and to pay those incurred by, Equivalenza Manufactory, SL in the proceedings before the General Court.

⁽¹⁾ OJ C 63, 27.2.2017.

Judgment of the General Court of 9 March 2018 — Recordati Orphan Drugs v EUIPO — Laboratorios Normon (NORMOSANG)

(Case T-103/17) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU word mark NORMOSANG — Earlier national word mark NORMON — 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) — Rule 19(2)(a)(ii) and Rule 20(1) of Regulation (EC) No 2868/95 (now Article 7(2)(a)(ii) and Article 8(1) and (7) of Delegated Regulation (EU) 2017/1430)

(2018/C 142/65)

Language of the case: English

Parties

Applicant: Recordati Orphan Drugs (Puteaux, France) (represented by: J. Quirin, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Laboratorios Normon, SA (Tres Cantos, Spain) (represented by: I. Gonzalez-Mogena Gonzalez, lawyer)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 22 November 2016 (Case R 831/2016-5), relating to opposition proceedings between Laboratorios Normon and Recordati Orphan Drugs.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Recordati Orphan Drugs to pay the costs.

⁽¹⁾ OJ C 121, 18.4.2017.