

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Swep International AB (Landskrona, Sweden) (represented by: J. Norderyd and C. Sundén, lawyers)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 1 March 2017 (Case R 236/2016-2), relating to opposition proceedings between Swep International and Uponsor Innovation.

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 1 March 2017 (Case R 236/2016-2);*
2. *Orders EUIPO to bear its own costs and to pay those incurred by Uponsor Innovation in the proceedings before the General Court;*
3. *Orders Swep International AB to bear its own costs and to pay those incurred by Uponsor Innovation in the proceedings before the Board of Appeal of EUIPO.*

⁽¹⁾ OJ C 221, 10.7.2017.

Judgment of the General Court of 29 May 2018 — Sata v EUIPO — Zhejiang Rongpeng Air Tools (6000)

(Case T-302/17) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU word mark 6000 — Absolute ground for refusal — Descriptive character — Article 52(1)(a) and (b) of Regulation (EC) No 207/2009 (now Article 59(1)(a) and (b) of Regulation (EU) 2017/1001) — Article 7(1)(c) of Regulation No 207/2009 (now Article 7(1)(c) of Regulation 2017/1001) — Equal treatment — Principle of sound administration — Obligation to state reasons)

(2018/C 249/36)

Language of the case: German

Parties

Applicant: Sata GmbH & Co. KG (Kornwestheim, Germany) (represented by: M.-C. Simon, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Zhejiang Rongpeng Air Tools Co. Ltd (Pengjie Town, China) (represented by: S. Fröhlich and M. Hartmann, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 8 March 2017 (Case R 656/2016-4), relating to invalidity proceedings between Zhejiang Rongpeng Air Tools and Sata.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Sata GmbH & Co. KG to pay the costs.

⁽¹⁾ OJ C 231, 17.7.2017.

Judgment of the General Court of 29 May 2018 — Sata v EUIPO — Zhejiang Rongpeng Air Tools (4000)

(Case T-303/17) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU word mark 4000 — Absolute ground for refusal — Descriptive character — Article 52(1)(a) and (b) of Regulation (EC) No 207/2009 (now Article 59(1)(a) and (b) of Regulation (EU) 2017/1001) — Article 7(1)(c) of Regulation No 207/2009 (now Article 7(1)(c) of Regulation 2017/1001) — Equal treatment — Principle of sound administration — Obligation to state reasons)

(2018/C 249/37)

Language of the case: German

Parties

Applicant: Sata GmbH & Co. KG (Kornwestheim, Germany) (represented by: M.-C. Simon, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Zhejiang Rongpeng Air Tools Co. Ltd (Pengjie Town, China) (represented by: S. Fröhlich and M. Hartmann, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 8 March 2017 (Case R 654/2016-4), relating to invalidity proceedings between Zhejiang Rongpeng Air Tools and Sata.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Sata GmbH & Co. KG to pay the costs.

⁽¹⁾ OJ C 231, 17.7.2017.