

Judgment of the General Court of 4 October 2018 — Frinsa del Noroeste v EUIPO — Alimentos Priorizados (Alfrisa)

(Case T-820/17) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU figurative mark Alfrisa — Earlier EU figurative mark Frinsa F — 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 427/84)

Language of the case: Spanish

Parties

Applicant: Frinsa del Noroeste, S.A. (Santa Eugenia de Ribeira, Spain) (represented by: J. Botella Reyna, lawyer)

Defendant: European Union Intellectual Property Office (represented by: J. Crespo Carrillo, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Alimentos Priorizados, SA (Barberá del Vallés, Spain) (represented by: S. de Nadal Arce, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 27 September 2017 (Case R 956/2017-2), relating to opposition proceedings between Frinsa del Noroeste and Alimentos Priorizados.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Frinsa del Noroeste, S.A. to pay the costs.

⁽¹⁾ OJ C 94, 12.3.2018.

Judgment of the General Court of 27 September 2018 — Carbon System Verwaltungs v EUIPO (LIGHTBOUNCE)

(Case T-825/17) ⁽¹⁾

(EU trade mark — Application for the EU word mark LIGHTBOUNCE — Absolute ground for refusal — Descriptive character — No distinctive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009 (now Article 7(1)(b) and (c) of Regulation (EU) 2017/1001))

(2018/C 427/85)

Language of the case: German

Parties

Applicant: Carbon System Verwaltungs GmbH (Marktheidenfeld, Germany) (represented by: M. Gilch and L. Petri, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO) (represented by: S. Hanne and D. Walicka, acting as Agents)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 11 October 2017 (Case R 2301/2016-1) concerning an application for registration of the word sign LIGHTBOUNCE as an EU trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Carbon System Verwaltungs GmbH to pay the costs.

⁽¹⁾ OJ C 52, 12.2.2018.

Order of the General Court of 19 September 2018 — Roeckl Sporthandschuhe v EUIPO — Roeckl Handschuhe & Accessoires (representation of a hand)

(Case T-537/13) ⁽¹⁾

(EU trade mark — Opposition proceedings — Withdrawal of the opposition — No need to adjudicate)

(2018/C 427/86)

Language of the case: German

Parties

Applicant: Roeckl Sporthandschuhe GmbH & Co. KG (Munich, Germany) (represented by: O. Baumann, C. Straßberger and F. Römisch, lawyers)

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

Other party to the proceedings before the Board of Appeal of EUIPO intervening before the General Court: Roeckl Handschuhe & Accessoires GmbH & Co. KG (Munich, Germany) (represented by: M. Kinkeldey, J. Springer, A. Wagner and S. Brandstätter, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 22 July 2013 (Case R 1866/2012-4) relating to opposition proceedings between Roeckl Sporthandschuhe and Roeckl Handschuhe & Accessoires.

Operative part of the order

1. There is no longer any need to adjudicate on the action.
2. Roeckl Sporthandschuhe GmbH & Co. KG and Roeckl Handschuhe & Accessoires GmbH & Co. KG are ordered to bear their own costs and shall each pay half of the costs incurred by the European Union Intellectual Property Office (EUIPO).

⁽¹⁾ OJ C 367, 14.12.2013.