

**Action brought on 7 February 2017 — PepsiCo v EUIPO — Intersnack Group (Exxtra Deep)****(Case T-82/17)**

(2017/C 121/54)

*Language in which the application was lodged: English***Parties***Applicant:* PepsiCo, Inc. (New York, New York, United States) (represented by: V. von Bomhard and J. Fuhrmann, lawyers)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* Intersnack Group GmbH & Co. KG (Düsseldorf, Germany)**Details of the proceedings before EUIPO***Proprietor of the trade mark at issue:* Other party to the proceedings before the Board of Appeal*Trade mark at issue:* EU word mark 'Exxtra Deep' — EU trade mark No 12 161 981*Procedure before EUIPO:* Proceedings for a declaration of invalidity*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 24 November 2016 in Case R 482/2016-4**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the intervener to pay the costs of the applicant.

**Plea in law**

- Infringement of Article 7(1)(b) and (c) of Regulation No 207/2009.

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**Action brought on 8 February 2017 — Heineken Romania v EUIPO — Lénárd (Csíki Sör)****(Case T-83/17)**

(2017/C 121/55)

*Language in which the application was lodged: English***Parties***Applicant:* Heineken Romania SA (Bucharest, Romania) (represented by: A.-M. Baciu, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* András Lénárd (Sinraieni, Romania)**Details of the proceedings before EUIPO***Applicant of the trade mark at issue:* Other party to the proceedings before the Board of Appeal*Trade mark at issue:* EU word mark 'Csíki Sör' — Application for registration No 12 105 839*Procedure before EUIPO:* Opposition proceedings*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 14 November 2016 in Case R 1310/2015-2

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- annul the decision of the Opposition Division of July 1<sup>st</sup>, 2015 in Opposition B 002 279 514;
- upheld the opposition B 002 279 514;
- reject the European Union trade mark application No 012 105 839 ‘Csíki Sör’ in its entirety.

**Plea in law**

- Infringement of Article 8(1)(b) of Regulation No 207/2009.

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**Action brought on 13 February 2017 — Gelinova Group v EUIPO — Cloetta Italia (galatea...è naturale)**

**(Case T-90/17)**

(2017/C 121/56)

*Language in which the application was lodged: Italian*

**Parties**

*Applicant:* Gelinova Group Srl (Tezze di Vazzola, Italy) (represented by: A. Tornato and D. Hazan, lawyers)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Cloetta Italia Srl (Cremona, Italy)

**Details of the proceedings before EUIPO**

*Applicant for the trade mark at issue:* Applicant

*Trade mark at issue:* EU figurative mark containing the word elements ‘galatea...è naturale’ — Application for registration No 13 187 695

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 12 December 2016 in Case R 207/2016-2

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

**Plea in law**

- Infringement of Article 8(1)(b) of Regulation No 207/2009.

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**Action brought on 14 February 2017 — Duferco Long Products v Commission**

**(Case T-93/17)**

(2017/C 121/57)

*Language of the case: French*

**Parties**

*Applicant:* Duferco Long Products SA (Luxembourg, Luxembourg) (represented by: J.-F. Bellis, R. Luff and M. Favart, lawyers)