

**Action brought on 30 March 2017 — Grendene v EUIPO — Hipanema (HIPANEMA)****(Case T-435/17)**

(2017/C 283/83)

*Language in which the application was lodged: Spanish***Parties***Applicant:* Grendene (Sobral, Brazil) (represented by: J. L. de Castro Hermida, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* Hipanema (Paris, France)**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:* International registration designating the European Union in respect of the figurative mark containing the word element 'HIPANEMA' — International registration designating the European Union No 1 154 586*Procedure before EUIPO:* Opposition proceedings*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 20/01/2017 in Case R 629/2016-2**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision and replace it with a decision recognising the affinity between the goods covered by the mark applied for and those protected by the opponent's earlier marks, to the extent necessary in order to acknowledge a similarity between those goods within the meaning of Article 8(1)(b) of Regulation (EU) No 207/2009 on the European Union trade mark;
- once that similarity between the goods is acknowledged, compare the signs at issue from a verbal perspective, which was not done either during the opposition proceedings or during the administrative action, conclude that the signs at issue are identical phonetically and aurally and similar graphically, hold that peaceful coexistence between the marks at issue is impossible and, lastly, reject the application for protection in the European Union of international trademark No 1 154 586 'HIPANEMA', Class 14. Or, if the General Court does not have jurisdiction to do so, remit the question to the Board of Appeal of the European Union Intellectual Property Office, subject to the requirement that it acknowledge the similarity between the marks at issue.

**Plea in law**

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

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**Action brought on 12 July 2017 — CompuGroup Medical v EUIPO — Medion (life coins)****(Case T-444/17)**

(2017/C 283/84)

*Language in which the application was lodged: German***Parties***Applicant:* CompuGroup Medical AG (Koblenz, Germany) (represented by: B. Dix, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* Medion AG (Essen, Germany)