

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

### **Details of the proceedings before EUIPO**

*Design at issue:* Community design — (Figurine representing a fish) — Application for registration No 336 805-0059

*Contested decision:* Decision of the Third Board of Appeal of EUIPO of 9 June 2017 in Case R 1680/2016-3

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- grant the application for *restitutio in integrum*;
- order EUIPO to pay the costs.

### **Plea in law**

- Infringement of Article 67 of Regulation (EC) No 6/2002 on Community designs.

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**Action brought on 6 September 2017 — Grupo Bimbo/EUIPO — DF World of Spices (TAKIS FUEGO)**

**(Case T-608/17)**

(2017/C 369/50)

*Language in which the application was lodged: English*

### **Parties**

*Applicant(s):* Grupo Bimbo, SAB de CV (México, Mexico) (represented by: N. Fernández Fernández-Pacheco, abogado)

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

*Other party to the proceedings before the Board of Appeal:* DF World of Spices GmbH (Dissen, Germany)

### **Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Applicant to the proceedings before the Board of Appeal

*Trade mark at issue:* EU word mark 'TAKIS FUEGO' — Application for registration No 11 841 087

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the fourth Board of Appeal of EUIPO of 4 July 2017 in Case R 2300/2016-4

### **Form of order sought**

The applicant claims that the Court should:

- set aside the contested decision;
- order the intervener to bear the costs.

### **Plea in law**

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