

Judgment of the General Court of 11 July 2019 — Hauzenberger v EUIPO (TurboPerformance)(Case T-349/18) ⁽¹⁾**(EU trade mark — Application for EU figurative mark TurboPerformance — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EU) 2017/1001)**

(2019/C 328/55)

Language of the case: German

Parties*Applicant:* Andreas Hauzenberger (Sinzing, Germany) (represented by: B. Bittner, lawyer)*Defendant:* European Union Intellectual Property Office (represented by: M. Eberl and D. Hanf, acting as Agents)**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 5 April 2018 (Case R 2206/2017-4) concerning an application for registration of the figurative sign TurboPerformance as an EU trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Mr Andreas Hauzenberger to pay the costs.*

⁽¹⁾ OJ C 259, 23.7.2018.

Judgment of the General Court of 9 July 2019 — Hugo's Hotel v EUIPO — H'ugo's (HUGO'S BURGER Bar)(Case T-397/18) ⁽¹⁾**(EU trade mark — Opposition proceedings — Application for EU figurative mark HUGO'S BURGER Bar — Earlier EU word mark H'ugo's — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001)**

(2019/C 328/56)

Language of the case: English

Parties*Applicant:* Hugo's Hotel Ltd (St. Julians, Malta) (represented by: R. Sladden, lawyer)*Defendant:* European Union Intellectual Property Office (represented by: E. Śliwińska and J. Ivanauskas, Agents)