

2. Upholds the opposition in respect of all the goods and services referred to in the application for registration, with the exception of the services in Class 35 corresponding to the following description: 'Retailing or wholesaling of cookie molds; wholesaling and retailing of cookie molds via the internet';
3. Dismisses the action as to the remainder;
4. Orders each party to bear its own costs.

(¹) OJ C 352, 1.10.2018.

Judgment of the General Court of 24 October 2019 — Atos Medical v EUIPO — Andreas Fahl Medizintechnik-Vertrieb (medical plasters)

(Case T-559/18) (¹)

(Community design — Invalidity proceedings — Registered Community design representing a medical plaster — Disclosure of the earlier designs — Ground for invalidity — Individual character — Informed user — Degree of freedom of the designer — Different overall impression — Article 6 and Article 25(1)(b) of Regulation (EC) No 6/2002)

(2019/C 432/54)

Language of the case: German

Parties

Applicant: Atos Medical GmbH (Troisdorf, Germany) (represented by: K. Middelhoff, G. Schoenen and S. Biermann, lawyers)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Andreas Fahl Medizintechnik-Vertrieb GmbH (Cologne, Germany) (represented by: F. Kramer, lawyer)

Re:

Action brought against the decision of the Third Board of Appeal of EUIPO of 29 June 2018 (Case R 2215/2016-3), relating to invalidity proceedings between Atos Medical and Andreas Fahl Medizintechnik-Vertrieb

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Atos Medical GmbH to pay the costs.

(¹) OJ C 399, 5.11.2018.