

Order of the General Court of 11 December 2018 — Hamburg Beer Company v EUIPO (Hamburg Beer Company)

(Case T-6/18) ⁽¹⁾

(EU trade mark — Application for EU word mark Hamburg Beer Company — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) and (2) of Regulation (EC) No 207/2009 (now Article 7(1)(b) and (2) of Regulation (EU) 2017/1001) — Action manifestly lacking any foundation in law)

(2019/C 65/49)

Language of the case: German

Parties

Applicant: Hamburg Beer Company GmbH (Hamburg, Germany) (represented by: O. Spieker, A. Schönfleisch and M. Alber, lawyers)

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

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 29 September 2017 (Case R 437/2017-5) concerning an application for registration of the word sign Hamburg Beer Company as an EU trade mark

Operative part of the order

1. *The action is dismissed as manifestly lacking any foundation in law.*
2. *Hamburg Beer Company GmbH shall pay the costs.*

⁽¹⁾ OJ C 72, 26.2.2018.

Order of the General Court of 13 December 2018 — Sonova Holding v EUIPO (HEAR THE WORLD)

(Case T-70/18) ⁽¹⁾

(EU trade mark — Application for EU word mark HEAR THE WORLD — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EU) 2017/1001)

(2019/C 65/50)

Language of the case: German

Parties

Applicant: Sonova Holding AG (Stäfa, Switzerland) (represented by: R. Pansch and A. Sabellek, lawyers)

Defendant: European Union Intellectual Property Office (represented by: M. Eberl, D. Hanf and D. Walicka, acting as Agents)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 21 November 2017 (Case R 1645/2017-5) concerning an application for registration of the word sign HEAR THE WORLD as an EU trade mark.