

**Plea in law**

— Infringement of Article 7(1)(b) of Regulation No 2017/1001.

---

**Action brought on 19 February 2018 — Multifit Tiernahrungs v EUIPO (fit+fun)****(Case T-94/18)**

(2018/C 134/45)

*Language of the case: German***Parties**

*Applicant:* Multifit Tiernahrungs GmbH (Krefeld, Germany) (represented by: N. Weber and L. Thiel, lawyers)

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

**Details of the proceedings before EUIPO**

*Trade mark at issue:* Application for EU word mark fit+fun — Application No 15 996 432

*Contested decision:* Decision of the First Board of Appeal of EUIPO of 7 December 2017 in Case R 847/2017-1

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

**Plea in law**

— Infringement of Article 7(1)(b) of Regulation 2017/1001.

---

**Action brought on 19 February 2018 — Cabell v EUIPO — Zorro Productions (ZORRO)****(Case T-96/18)**

(2018/C 134/46)

*Language in which the application was lodged: English***Parties**

*Applicant:* Robert W. Cabell (Renton, Washington, United States) (represented by: K. Bröcker, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Zorro Productions, Inc. (Berkeley, California, United States)

**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:* EU word mark ZORRO — EU trade mark No 5 399 787

*Procedure before EUIPO:* Proceedings for a declaration of invalidity

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 19 December 2017 in Case R 1637/2015-4

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- uphold the application for a declaration of partial invalidity of European Union trade mark registration No 5 399 787 for all the contested goods and services;
- order EUIPO to pay the costs.

**Plea in law**

- Infringement of Article 7(1)(b) and (c) in conjunction with Article 59(1)(a) of Regulation No 2017/1001.

---

**Action brought on 16 February 2018 — DeepMind Technologies v EUIPO (STREAMS)****(Case T-97/18)**

(2018/C 134/47)

*Language of the case: English***Parties**

*Applicant:* DeepMind Technologies Ltd (London, United Kingdom) (represented by: T. St Quintin, barrister, K. Gilbert and G. Lodge, solicitors)

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

**Details of the proceedings before EUIPO**

*Trade mark at issue:* EU word mark STREAMS — Application for registration No 15 166 176

*Contested decision:* Decision of the First Board of Appeal of EUIPO of 27 November 2017 in Case R 35/2017-1

**Form of order sought**

The applicant claims that the Court should:

- alter the contested decision because it infringes Article 7 EUTMR, alternatively;
- annul the contested decision on the same basis;
- order EUIPO to pay the costs.

**Plea in law**

- Infringement of Article 7 of Regulation No 2017/1001.

---

**Action brought on 20 February 2018 — Multifit Tiernahrungs v EUIPO (MULTIFIT)****(Case T-98/18)**

(2018/C 134/48)

*Language of the case: German***Parties**

*Applicant:* Multifit Tiernahrungs GmbH (Krefeld, Germany) (represented by: N. Weber and L. Thiel, lawyers)

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