

**Action brought on 5 March 2018 — Sona Nutrition v EUIPO — Solgar Holdings (SOLGAR Since 1947 MultiPlus WHOLEFOOD CONCENTRATE MULTIVITAMIN FORMULA)**

**(Case T-153/18)**

(2018/C 152/63)

*Language in which the application was lodged: English*

**Parties**

*Applicant:* Sona Nutrition Ltd (Dublin, Ireland) (represented by: A. von Mühlendahl and H. Hartwig, lawyers)

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

*Other party to the proceedings before the Board of Appeal:* Solgar Holdings, Inc. (Ronkonkoma, New York, United States)

**Details of the proceedings before EUIPO**

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

*Trade mark at issue:* EU figurative mark in colours red, light brown, beige, dark brown and golden brown, SOLGAR Since 1947 MultiPlus WHOLEFOOD CONCENTRATE MULTIVITAMIN FORMULA — Application for registration No 13 781 299

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 20 December 2017 in Case R 1321/2017-4

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and Solgar Holdings, Inc., if it should intervene in these proceedings, to bear the costs.

**Pleas in law**

- Infringement of Article 94(1) of Regulation No 2017/1001;
- Infringement of Article 8(1)(b) of Regulation No 2017/1001.

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**Action brought on 5 March 2018 — Sona Nutrition v EUIPO — Solgar Holdings (SOLGAR Since 1947 MultiPlus WHOLEFOOD CONCENTRATE MULTIVITAMIN FORMULA)**

**(Case T-154/18)**

(2018/C 152/64)

*Language in which the application was lodged: English*

**Parties**

*Applicant:* Sona Nutrition Ltd (Dublin, Ireland) (represented by: A. von Mühlendahl and H. Hartwig, lawyers)

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

*Other party to the proceedings before the Board of Appeal:* Solgar Holdings, Inc. (Ronkonkoma, New York, United States)

**Details of the proceedings before EUIPO**

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

*Trade mark at issue:* EU figurative mark in colours green, light brown, beige, dark brown and golden brown, SOLGAR Since 1947 MultiPlus WHOLEFOOD CONCENTRATE MULTIVITAMIN FORMULA — Application for registration No 13 781 273

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 20 December 2017 in Case R 1322/2017-4

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and Solgar Holdings, Inc., if it should intervene in these proceedings, to bear the costs.

### **Pleas in law**

- Infringement of Article 94(1) of Regulation No 2017/1001;
- Infringement of Article 8(1)(b) of Regulation No 2017/1001.

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## **Action brought on 5 March 2018 — Sona Nutrition v EUIPO — Solgar Holdings (SOLGAR Since 1947 MultiPlus WHOLEFOOD CONCENTRATE MULTIVITAMIN FORMULA)**

**(Case T-155/18)**

(2018/C 152/65)

*Language in which the application was lodged: English*

### **Parties**

*Applicant:* Sona Nutrition Ltd (Dublin, Ireland) (represented by: A. von Mühlendahl and H. Hartwig, lawyers)

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

*Other party to the proceedings before the Board of Appeal:* Solgar Holdings, Inc. (Ronkonkoma, New York, United States)

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

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

*Trade mark at issue:* EU figurative mark in colours light green, light brown, beige, dark brown and golden brown, SOLGAR Since 1947 MultiPlus WHOLEFOOD CONCENTRATE MULTIVITAMIN FORMULA — Application for registration No 13 781 315

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 20 December 2017 in Case R 1323/2017-4

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and Solgar Holdings, Inc., if it should intervene in these proceedings, to bear the costs.