

*Other party to the proceedings before the Board of Appeal:* Peek & Cloppenburg KG, Hamburg (Hamburg, Germany)

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

*Proprietor of the trade mark at issue:* Applicant

*Trade mark at issue:* EU word mark Peek & Cloppenburg — EU trade mark No 270 439

*Procedure before EUIPO:* Cancellation proceedings

*Contested decision:* Decision of the First Board of Appeal of EUIPO of 20 April 2018 in Case R 522/2006-1

### **Form of order sought**

The applicant claims that the Court should:

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

### **Pleas in law**

- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Paragraph 15(2) of the German Law on trade marks;
- Infringement of Article 8(4)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Paragraph 15(3) of the German Law on trade marks;
- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 63 of Council Regulation (EC) No 207/2009, read in conjunction with Rule 20(7)(c) of Commission Regulation (EC) No 2868/95.

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**Action brought on 16 July 2018 — Peek & Cloppenburg v EUIPO — Peek & Cloppenburg (Peek & Cloppenburg)**

**(Case T-445/18)**

(2018/C 311/19)

*Language in which the application was lodged:* German

### **Parties**

*Applicant:* Peek & Cloppenburg KG, Düsseldorf (Düsseldorf, Germany) (represented by: P. Lange, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Peek & Cloppenburg KG, Hamburg (Hamburg, Germany)

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

*Party applying for the trade mark at issue:* Applicant

*Trade mark at issue:* EU word mark Peek & Cloppenburg — Application for registration No 2 791 416

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the First Board of Appeal of EUIPO of 24 January 2018 in Case R 1270/2007-1

**Form of order sought**

The applicant claims that the Court should:

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

**Pleas in law**

- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Paragraph 15(2) of the German Law on trade marks;
- Infringement of Article 8(4)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Paragraph 15(3) of the German Law on trade marks;
- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 63 of Council Regulation (EC) No 207/2009, read in conjunction with Rule 20(7)(c) of Commission Regulation (EC) No 2868/95.

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**Action brought on 16 July 2018 — Peek & Cloppenburg v EUIPO — Peek & Cloppenburg (Peek & Cloppenburg)**

**(Case T-446/18)**

(2018/C 311/20)

*Language in which the application was lodged: German*

**Parties**

*Applicant:* Peek & Cloppenburg KG, Düsseldorf (Düsseldorf, Germany) (represented by: P. Lange, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Peek & Cloppenburg KG, Hamburg (Hamburg, Germany)

**Details of the proceedings before EUIPO**

*Party applying for the trade mark at issue:* Applicant

*Trade mark at issue:* EU word mark Peek & Cloppenburg — Application for registration No 4 295 069

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the First Board of Appeal of EUIPO of 20 April 2018 in Case R 1589/2007-1

**Form of order sought**

The applicant claims that the Court should:

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

**Pleas in law**

- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Paragraph 15(2) of the German Law on trade marks;