

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.

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;

- 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.

Action brought on 19 July 2018 — Ortlieb Sportartikel v EUIPO (Octogon)

(Case T-449/18)

(2018/C 311/21)

Language of the application: German

Parties

Applicant: Ortlieb Sportartikel GmbH (Heilsbronn, Germany) (represented by: A. Wulf and K. Schmidt-Hern, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: European Union figurative mark (Representation of an octogon) — Application for registration No 16 047 466

Contested decision: Decision of the First Board of Appeal of EUIPO of 27 April 2018 in Case R 1634/2017-1

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 (EU) 2017/1001 of the European Parliament and of the Council.

Order of the General Court of 3 July 2018 — So v Council and Commission

(Case T-564/17) ⁽¹⁾

(2018/C 311/22)

Language of the case: English

The President of the Third Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 338, 9.10.2017.
