

Details of the proceedings before EUIPO

Applicant for the mark at issue: Applicant

Mark at issue: Application for EU figurative mark charantea — Application for registration No 15 785 801

Proceedings before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 15 October 2018 in Case R 540/2018-4

Form of order sought

The applicant claims that the Court should:

— uphold the action, alter the contested decision of the Fourth Board of Appeal of 15 October 2018, R 540/2018-4 concerning opposition proceedings B 2 815 978 (EU trade mark application No 15 785 801), reject the opposition, and allow the EU trade mark application to proceed to registration;

in the alternative,

— annul the contested decision of the Fourth Board of Appeal of 15 October 2018, R 540/2018-4 concerning opposition proceedings B 2 815 978 (EU trade mark application No 15 785 801) and refer the case back to EUIPO;

— in any event, order EUIPO to pay the costs of the present proceedings; and

— order the opposing party to pay all the costs incurred in the proceedings before the Opposition Division and the Board of Appeal.

Plea in law

— Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 17 December 2018 — Siberia Oriental v CPVO (Siberia)

(Case T-737/18)

(2019/C 54/48)

Language of the case: English

Parties

Applicant: Siberia Oriental BV ('t Zand, Netherlands) (represented by: T. Overdijk, lawyer)

Defendant: Community Plant Variety Office (CPVO)

Details of the proceedings before CPVO

Community plant variety right at issue: Community plant variety right No EU0404 ('Siberia' variety of Liliium L.)

Contested decision: Decision of the Board of Appeal of CPVO of 15 October 2018 in Case A 009/2017

Form of order sought

The applicant claims that the Court should:

- annul or set aside the contested decision;
- order CPVO to change the expiration date in the Register to 30 April 2020.

Pleas in law

- Infringement of essential procedural requirements;
- Infringement of Council Regulation (EC) No 2100/94 or any rule of law relating to its application, including the Treaty on the European Union and the Treaty on the Functioning of the European Union.

Order of the General Court of 7 December 2018 — Kibelisa v Council**(Case T-139/17) ⁽¹⁾**

(2019/C 54/49)

Language of the case: French

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

⁽¹⁾ OJ C 129, 24.4.2017.

Order of the General Court of 7 December 2018 — Kampete v Council**(Case T-140/17) ⁽¹⁾**

(2019/C 54/50)

Language of the case: French

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

⁽¹⁾ OJ C 129, 24.4.2017.

Order of the General Court of 7 December 2018 — Amisi Kumba v Council**(Case T-141/17) ⁽¹⁾**

(2019/C 54/51)

Language of the case: French

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

⁽¹⁾ OJ C 129, 24.4.2017.
