

Judgment of the General Court of 25 November 2020 — BRF Singapore Foods v EUIPO — Tipiak (Sadia)

(Case T-309/19) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU figurative mark Sadia — Earlier national word mark SAIDA — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001) — Principle of sound administration — Equal treatment — Obligation to state reasons)

(2021/C 28/59)

Language of the case: English

Parties

Applicant: BRF Singapore Foods Pte Ltd (Singapore, Singapore) (represented by: C. Mateu, lawyer)

Defendant: European Union Intellectual Property Office (represented by: L. Lapinskaite, J. Crespo Carrillo and V. Ruzek, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Tipiak (Saint-Aignan de Grand-Lieu, France) (represented by: M. Antoine-Lalance and M. Aitelli, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 19 March 2019 (Case R 1834/2018-4), relating to opposition proceedings between Tipiak and BRF Singapore Foods.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders BRF Singapore Foods Pte Ltd to bear its own costs and to pay those incurred by Tipiak;
3. Orders the European Union Intellectual Property Office (EUIPO) to bear its own costs.

⁽¹⁾ OJ C 246, 22.7.2019.

Judgment of the General Court of 25 November 2020 — BRF Singapore Foods v EUIPO — Tipiak (SADIA)

(Case T-310/19) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU word mark SADIA — Earlier national word mark SAIDA — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001) — Principle of sound administration — Equal treatment — Obligation to state reasons)

(2021/C 28/60)

Language of the case: English

Parties

Applicant: BRF Singapore Foods Pte Ltd (Singapore, Singapore) (represented by: C. Mateu, lawyer)

Defendant: European Union Intellectual Property Office (represented by: L. Lapinskaite, J. Crespo Carrillo and V. Ruzek, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Tipiak (Saint-Aignan de Grand-Lieu, France) (represented by: M. Antoine-Lalance and M. Aitelli, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 19 March 2019 (Case R 1857/2018-4), relating to opposition proceedings between Tipiak and BRF Singapore Foods.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders BRF Singapore Foods Pte Ltd to bear its own costs and to pay those incurred by Tipiak;
3. Orders the European Union Intellectual Property Office (EUIPO) to bear its own costs.

⁽¹⁾ OJ C 246, 22.7.2019.

Judgment of the General Court of 25 November 2020 — UI v Commission

(Case T-362/19) ⁽¹⁾

(Civil service — Officials — Expatriation allowance — Article 4(1)(a) of Annex VII to the Staff Regulations — Refusal to grant the expatriation allowance — Habitual residence — Place where the person's main occupation is carried on — Five-year reference period)

(2021/C 28/61)

Language of the case: English

Parties

Applicant: UI (represented by: J. Diaz Cordova, lawyer)

Defendant: European Commission (represented by: T. Bohr and A.-C. Simon, acting as Agents)

Re:

Action under Article 270 TFEU for (i) annulment of the decision of the Commission's Office for the Administration and Payment of Individual Entitlements (PMO) of 27 August 2018 refusing to grant the applicant the expatriation allowance and (ii) compensation for the harm that the applicant claims to have suffered as a result.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders UI to pay the costs.

⁽¹⁾ OJ C 305, 9.9.2019.