

**Judgment of the General Court of 29 January 2020 — Vinos de Arganza v EUIPO — Nordbrand Nordhausen (ENCANTO)**(Case T-239/19) <sup>(1)</sup>

*(EU trade mark — Opposition proceedings — Application for EU figurative mark ENCANTO — Earlier national word mark BELCANTO — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001)*

(2020/C 77/66)

Language of the case: English

**Parties**

*Applicant:* Vinos de Arganza, SL (Torral de los Vados, Spain) (represented by: L. Broschat García, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: L. Rampini, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO:* Nordbrand Nordhausen GmbH (Nordhausen, Germany)

**Re:**

Action brought against the decision of the First Board of Appeal of EUIPO of 17 January 2019 (Case R 392/2018-1), relating to opposition proceedings between Nordbrand Nordhausen and Vinos de Arganza.

**Operative part of the judgment**

The Court:

1. *Dismisses the action;*
2. *Orders Vinos de Arganza, SL, to pay the costs.*

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<sup>(1)</sup> OJ C 187, 3.6.2019.

**Judgment of the General Court of 30 January 2020 — BZ v Commission**(Case T-336/19) <sup>(1)</sup>

*(Civil service — Contract staff — Dismissal for obviously inadequate work — Proportionality — Article 8 of the Conditions of Employment of Other Servants — Liability)*

(2020/C 77/67)

Language of the case: French

**Parties**

*Applicant:* BZ (represented by: C. Mourato, lawyer)

*Defendant:* European Commission (represented by: G. Berscheid, B. Mongin and M. Brauhoff, acting as Agents)

**Re:**

Application based on Article 270 TFEU seeking, first, annulment of the Commission's decision of 25 July 2018 to dismiss the applicant in response to a report on the probationary period before the end of that period and, second, payment of compensation for the material or non-material damage allegedly suffered by the applicant as a result of that decision.

**Operative part of the judgment**

The Court:

1. *Annuls the European Commission's decision of 25 July 2018 to dismiss BZ;*
2. *Dismisses the action as to the remainder;*
3. *Orders the Commission to pay the costs.*

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(<sup>1</sup>) OJ C 255, 29.7.2019.

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**Judgment of the General Court of 30 January 2020 — Julius Sämann v EUIPO — Maharishi Vedic University  
(Representation of a tree)**

(Case T-559/19) (<sup>1</sup>)

*(EU trade mark — Opposition proceedings — Application for an EU figurative mark representing a tree — Earlier EU and international figurative marks representing an 'arbre magique' (magic tree) — Relative grounds for refusal — No likelihood of confusion — No similarity between the signs — Article 8(1)(b) of Regulation (EU) 2017/1001 — No damage to reputation — Article 8(5) of Regulation 2017/1001)*

(2020/C 77/68)

*Language of the case: English*

**Parties**

*Applicant:* Julius Sämann Ltd (Thayngen, Switzerland) (represented by: D. Parrish, Solicitor)

*Defendant:* European Union Intellectual Property Office (represented by: K. Kompari, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Maharishi Vedic University Ltd (Mgarr, Malta) (represented by: L. Prehn, lawyer)

**Re:**

Action brought against the decision of the First Board of Appeal of EUIPO of 16 May 2019 (Case R 1743/2018-1), relating to opposition proceedings between Julius Sämann and Maharishi Vedic University.