

2. Rejects the opposition for all the goods covered in the application for registration, except for 'glasses (optical)', 'frames for the latter (lenses)' and 'sports glasses' in Class 9;
3. Dismisses the action as to the remainder;
4. Orders each party to bear its own costs.

---

(<sup>1</sup>) OJ C 213, 24.6.2019.

---

**Judgment of the General Court of 13 May 2020 — adp Gauselmann v EUIPO — Gameloft (City Mania)**

(Case T-381/19) (<sup>1</sup>)

**(EU trade mark — Opposition proceedings — Application for EU word mark City Mania — Earlier EU word mark City Lights — Relative ground for refusal — No likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001)**

(2020/C 215/51)

*Language of the case: English*

**Parties**

*Applicant:* adp Gauselmann GmbH (Espelkamp, Germany) (represented by: P. Koch Moreno, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: S. Palmero Cabezas, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO:* Gameloft SE (Paris, France)

**Re:**

Action brought against the decision of the Second Board of Appeal of EUIPO of 11 April 2019 (Case R 976/2018-2), relating to opposition proceedings between adp Gauselmann and Gameloft.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders adp Gauselmann GmbH to pay the costs.

---

(<sup>1</sup>) OJ C 270, 12.8.2019.

---

**Judgment of the General Court of 13 May 2020 — Global Brand Holdings v EUIPO (XOXO)**

(Case T-503/19) (<sup>1</sup>)

**(EU trade mark — Application for the EU word mark XOXO — Absolute ground for refusal — No distinctive character — Article 7(1)(b) and (2) of Regulation (EU) 2017/1001)**

(2020/C 215/52)

*Language of the case: English*

**Parties**

*Applicant:* Global Brand Holdings, LLC (New York, New York, United States) (represented by: D. de Marion de Glatigny, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: A. Folliard-Monguiral, acting as Agent)

**Re:**

Action brought against the decision of the First Board of Appeal of EUIPO of 11 April 2019 (Case R 1413/2018-1), concerning an application for registration of the word sign XOXO as an EU trade mark.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Global Brand Holdings, LLC to pay the costs.

---

<sup>(1)</sup> OJ C 288, 26.8.2019.

---

**Judgment of the General Court of 13 May 2020 — EC Brand Comércio, Importação e Exportação de Vestuário em Geral v EUIPO (pantys)**

(Case T-532/19) <sup>(1)</sup>

*(EU trade mark — Application for the EU figurative mark pantys — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EU) 2017/1001 — No distinctive character acquired through use — Article 7(3) of Regulation 2017/1001)*

(2020/C 215/53)

*Language of the case: English*

**Parties**

*Applicant:* EC Brand Comércio, Importação e Exportação de Vestuário em Geral Ltda (Sorocaba, Brazil) (represented by: B. Bittner and U. Heinrich, lawyers)

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

**Re:**

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 22 May 2019 (Case R 314/2019-5), relating to an application for registration of the figurative mark pantys as an EU trade mark.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders EC Brand Comércio, Importação e Exportação de Vestuário em Geral Ltda to pay the costs.

---

<sup>(1)</sup> OJ C 312, 16.9.2019.