

Judgment of the General Court of 19 May 2021 — Puma v EUIPO — Gemma Group (Representation of a bounding feline)

(Case T-510/19) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the EU figurative mark representing a bounding feline — Earlier international figurative marks representing a bounding feline — Relative ground for refusal — No injury to reputation — Article 8(5) of Regulation (EC) No 207/2009 (now Article 8(5) of Regulation (EU) 2017/1001))

(2021/C 263/23)

Language of the case: English

Parties

Applicant: Puma SE (Herzogenaurach, Germany) (represented by: P. González-Bueno Catalán de Ocón, lawyer)

Defendant: European Union Intellectual Property Office (represented by: D. Hanf and S. Hanne, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO: Gemma Group Srl (Cerasolo Ausa, Italy)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 30 April 2019 (Case R 2057/2018-4), relating to opposition proceedings between Puma and Gemma Group.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Puma SE to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO).

⁽¹⁾ OJ C 328, 30.9.2019.

Judgment of the General Court of 12 May 2021 — Moerenhout and Others v Commission

(Case T-789/19) ⁽¹⁾

(Law governing the institutions — European citizens' initiative — Trade with territories under military occupation — Refusal of registration — Manifest lack of powers of the Commission — Article 4(2)(b) of Regulation (EU) No 211/2011 — Common commercial policy — Article 207 TFEU — Common foreign and security policy — Article 215 TFEU — Obligation to state reasons — Article 4(3) of Regulation No 211/2011)

(2021/C 263/24)

Language of the case: French

Parties

Applicants: Tom Moerenhout (Humbeek, Belgium) and the six other applicants whose names are listed in the annex to the judgment (represented by: G. Devers, lawyer)

Defendant: European Commission (represented by: I. Martínez del Peral and S. Delaude, acting as Agents)

Re:

Action under Article 263 TFEU for annulment of Commission Decision (EU) 2019/1567 of 4 September 2019 on the proposed citizens' initiative entitled 'Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law' (OJ 2019 L 241, p. 12).

Operative part of the judgment

The Court:

1. Annuls Commission Decision (EU) 2019/1567 of 4 September 2019 on the proposed citizens' initiative entitled 'Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law';
2. Orders the European Commission to pay the costs.

⁽¹⁾ OJ C 45, 10.2.2020.

Judgment of the General Court of 19 May 2021 — Steinel v EUIPO (GluePro)

(Case T-256/20) ⁽¹⁾

(EU trade mark — Application for EU word mark GluePro — Absolute grounds for refusal — Descriptive character — Article 7(1)(c) of Regulation (EU) 2017/1001 — No distinctive character — Article 7(1)(b) of Regulation 2017/1001)

(2021/C 263/25)

Language of the case: German

Parties

Applicant: Steinel GmbH (Herzebrock-Clarholz, Germany) (represented by: M. Breuer and K. Freudenstein, lawyers)

Defendant: European Union Intellectual Property Office (represented by: E. Markakis, acting as Agent)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 14 February 2020 (Case R 2516/2019-2), relating to an application for registration of the word sign GluePro as an EU trade mark.

Operative part of the judgment

The Court:

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

⁽¹⁾ OJ C 215, 29.6.2020.