

3. Orders Lidl Stiftung & Co. KG, EUIPO and Plásticos Hidrosolubles, SL, to each bear their own costs incurred during the proceedings before the Court.

⁽¹⁾ OJ C 122, 1.4.2019.

**Judgment of the General Court of 29 April 2020 — Kerry Luxembourg v EUIPO — Döhler
(TasteSense By Kerry)**

(Case T-108/19) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the EU figurative mark TasteSense By Kerry — Earlier EU word mark MultiSense — 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))

(2020/C 201/31)

Language of the case: English

Parties

Applicant: Kerry Luxembourg Sàrl (Luxembourg, Luxembourg) (represented by: A. von Mühlendahl and H. Hartwig, lawyers)

Defendant: European Union Intellectual Property Office (represented by: J. Ivanauskas and H. O'Neill, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO: Döhler GmbH (Darmstadt, Germany)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 27 November 2018 (Case R 1179/2018 2), relating to opposition proceedings between Döhler and Kerry Luxembourg

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Kerry Luxembourg Sàrl to pay the costs.

⁽¹⁾ OJ C 139, 15.4.2019.

Order of the General Court of 2 April 2020 — Thai World Import & Export v EUIPO — Elvir (Yaco)

(Case T-3/19) ⁽¹⁾

(EU trade mark — Opposition proceedings — Withdrawal of the opposition — No need to adjudicate)

(2020/C 201/32)

Language of the case: French

Parties

Applicant: Thai World Import & Export Co. Ltd (Bangkok, Thailand) (represented by: S. Bénoliel-Claux, lawyer)

Defendant: European Union Intellectual Property Office (represented by: J. Crespo Carrillo, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO intervening before the General Court: Elvir (Condé-sur-Vire, France) (represented by: M. Lhotel, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 2 October 2018 (Case R 319/2018-2) relating to opposition proceedings between Elvir and Thai World Import & Export Co.

Operative part of the order

1. There is no longer any need to adjudicate on the action.
2. Thai World Import & Export Co. Ltd and Elvir shall bear their own costs and shall each pay half of the costs incurred by the European Union Intellectual Property Office (EUIPO).

⁽¹⁾ OJ C 72, 25.2.2019.

Order of the General Court of 2 April 2020 — SQLab v EUIPO (Innerbarend)

(Case T-307/19) ⁽¹⁾

(Action for annulment — EU trade mark — Application for EU word mark Innerbarend — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EU) 2017/1001 — Action manifestly lacking any foundation in law)

(2020/C 201/33)

Language of the case: German

Parties

Applicant: SQLab GmbH (Taufkirchen, Germany) (represented by: A. Koelle, lawyer)

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

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 18 March 2019 (Case R 2180/2018-4) relating to an application for registration of the word sign Innerbarend as an EU trade mark.

Operative part of the order

1. The action is dismissed.
2. SQLab GmbH is ordered to pay the costs.

⁽¹⁾ OJ C 230, 8.7.2019.