

Action brought on 21 January 2019 — Cimpres Schweiz v EUIPO — Impress Media (CIMPRESS)**(Case T-37/19)**

(2019/C 82/80)

*Language in which the application was lodged: German***Parties**

Applicant: Cimpres Schweiz GmbH (Winterthur, Switzerland) (represented by: C. Eckhardt, P. Böhner and A. von Mühlendahl, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Impress Media GmbH (Mönchengladbach, Germany)

Details of the proceedings before EUIPO

Applicant for the mark at issue: Applicant

Mark at issue: EU word mark CIMPRESS — EU mark No 13 147 624

Proceedings before EUIPO: Opposition proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 30 October 2018 in Joined Cases R 1716/2017-2 and R 1786/2017-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- on the applicant's appeal, annul the decision of the Opposition Division of 13 June 2017 in Case B 2 493 933 and reject the opposition brought by Impress Media GmbH against registration of the mark CIMPRESS No 13 147 624;
- order EUIPO and Impress Media GmbH, should it intervene in these proceedings, to pay the costs of the proceedings, including the costs incurred by the applicant in the proceedings before the Board of Appeal.

Plea in law

- Infringement of Article 8(2)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 23 January 2019 — Volkswagen v EUIPO (CROSS)**(Case T-42/19)**

(2019/C 82/81)

*Language of the case: German***Parties**

Applicant: Volkswagen AG (Wolfsburg, Germany) (represented by: F. Thiering and L. Steidle, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: Application for EU word mark CROSS — Application No 16 366 528

Contested decision: Decision of the First Board of Appeal of EUIPO of 14 November 2018 in Case R 2500/2017-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision, in so far as it dismissed the applicant's complaint, and allow registration of EU trade mark application No 163 66 528 for all of the goods and services;
- alternatively, annul the contested decision, in so far as it dismissed the applicant's complaint, and refer the case back to the First Board of Appeal of EUIPO;
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
 - Infringement of Article 7(1)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
 - Infringement of the principle of equal treatment and breach of the obligation to state reasons.
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