

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 20 March 2019 in Case R 1576/2018-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision expressly declaring the validity of the European Union trademark No. 11 710 134 'TASER' (fig.) for all registered goods in class 18 and 25;
- order EUIPO and the intervening party, Taser International, Inc., to pay all the costs of the dispute before the General Court, including those relating to the procedure before the Board of Appeal.

Plea in law

- Infringement of Article 60(1)(a) in conjunction Article 8(5) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 7 June 2019 — Decathlon v EUIPO — Athlon Custom Sportswear (athlon custom sportswear)

(Case T-349/19)

(2019/C 255/64)

Language of the case: English

Parties

Applicant: Decathlon (Villeneuve-d'Ascq, France) (represented by: A. Cléry and C. Devernay, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Athlon Custom Sportswear P.C. (Kallithea, Greece)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: Application for European Union figurative mark athlon custom sportswear — Application for registration No 16 162 596

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 27 March 2019 in Case R 1724/2018-2

Form of order sought

The applicant claims that the Court should:

- grant its request;
- annul the contested decision;
- confirm the opposition decision of 6 July 2018 in case No B 002879164;
- refuse the registration of the mark athlon custom sportswear No 016162596;
- order EUIPO to pay the costs of the proceedings, including those incurred in the appeal proceedings.

Plea in law

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 11 June 2019 — Bontempi and Others v EUIPO — Sand Cph (WhiteSand)

(Case T-350/19)

(2019/C 255/65)

Language of the case: English

Parties

Applicants: Emanuela Bontempi (Montemarciano, Italy) and 6 others (represented by: S. Rizzo and O. Musco, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Sand Cph A/S (Copenhagen, Denmark)

Details of the proceedings before EUIPO

Applicants of the trade mark at issue: Applicants before the General Court

Trade mark at issue: Application for European Union figurative mark WhiteSand — Application for registration No 16 416 596

Procedure before EUIPO: Opposition proceedings