

**Action brought on 26 September 2019 – eSky Group IP v EUIPO – Gröpel (e)****(Case T-646/19)**

(2019/C 383/86)

*Language of the case: English***Parties***Applicant:* eSky Group IP sp. z o.o. (Warsaw, Poland) (represented by: P. Kurcman, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* Gerhard Gröpel (Straubing, Germany)**Details of the proceedings before EUIPO***Applicant of the trade mark at issue:* Applicant before the General Court*Trade mark at issue:* Application for European Union figurative mark e in colours turquoise, white, dark blue, blue and light pink – Application for registration No 16 731 333*Procedure before EUIPO:* Opposition proceedings*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 24 July 2019 in Case R 223/2019-4**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- annul the decision of Opposition Division of 29 November 2018 adopted in opposition proceedings No B 2 957 168;
- refer the case back to EUIPO;
- order EUIPO to pay the costs of the proceedings before the Opposition Division, Board of Appeal and General Court.

**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 30 September 2019 – FF Group Romania v EUIPO – KiK Textilien und Non-Food (\_kix)****(Case T-659/19)**

(2019/C 383/87)

*Language of the case: English***Parties***Applicant:* FF Group Romania SRL (Bucharest, Romania) (represented by: A. Căvescu, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* KiK Textilien und Non-Food GmbH (Bönen, Germany)

### **Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Applicant before the General Court

*Trade mark at issue:* Application for European Union figurative mark \_kix in colours black, white and green – Application for registration No 12 517 901

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 4 July 2019 in Case R 353/2019-2

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs relating to the present action.

### **Pleas in law**

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 94 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 95 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Rule 20(7)(c) of Regulation No 2868/95 (now Article 71(1) of Delegated Regulation (EU) No 2018/625);
- Infringement of Rule 50(1) of Regulation No 2868/95;
- Infringement of the principles of the protection of legitimate expectations, legal certainty, impartiality and equality;
- Infringement of the right to be heard and the right to a fair trial;
- Misuse of powers.

---

**Action brought on 30 September 2019 – Allergan Holdings France v EUIPO – Dermavita (JUVEDERM ULTRA)**

**(Case T-664/19)**

(2019/C 383/88)

*Language of the case: English*

### **Parties**

*Applicant:* Allergan Holdings France (Courbevoie, France) (represented by: J. Day, Solicitor)