

Judgment of the General Court of 2 June 2021 — Himmel v EUIPO — Ramirez Monfort (Hispano Suiza)

(Case T-177/20) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU word mark Hispano Suiza — Earlier EU word mark HISPANO SUIZA — 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))

(2021/C 278/59)

Language of the case: English

Parties

Applicant: Erwin Leo Himmel (Walchwil, Switzerland) (represented by: A. Gomoll, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO: Gonzalo Andres Ramirez Monfort (Barcelona, Spain)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 21 January 2020 (Case R 67/2019-1), relating to opposition proceedings between Mr Himmel and Mr Ramirez Monfort.

Operative part of the judgment

The Court:

1. Annuls the decision of the First Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 21 January 2020 (Case R 67/2019-1);
2. Orders EUIPO to pay the costs.

⁽¹⁾ OJ C 191, 8.6.2020.

Judgment of the General Court of 2 June 2021 — Schneider v EUIPO — Rathes (Teslaplatte)

(Case T-183/20) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU word mark Teslaplatte — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009 (now Article 7(1)(c) of Regulation (EU) 2017/1001))

(2021/C 278/60)

Language of the case: German

Parties

Applicant: Christian Schneider (Leverkusen, Germany) (represented by: R. Buttron, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Oliver Rathes (Männedorf, Switzerland) (represented by: G. Jacobs and M. Maybaum, lawyers)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 15 January 2020 (Case R 247/2019-2), relating to invalidity proceedings between Mr Rathes and Mr Schneider.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Christian Schneider to pay the costs.

⁽¹⁾ OJ C 191, 8.6.2020.

**Order of the General Court of 25 May 2021 — Rochem Group v EUIPO — Rochem Marine
(R.T.S. ROCHEM Technical Services)**

(Case T-233/20) ⁽¹⁾

**(EU trade mark — Revocation of the contested decision — Action which has become devoid of purpose —
No need to adjudicate)**

(2021/C 278/61)

Language of the case: English

Parties

Applicant: Rochem Group AG (Zug, Switzerland) (represented by: K. Guridi Sedlak, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Rochem Marine Srl (Genoa, Italy) (represented by: R. Gioia and L. Mansi, lawyers)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 20 February 2020 (Case R 1544/2019-1), relating to invalidity proceedings between Rochem Marine and Rochem Group.

Operative part of the order

1. There is no longer any need to adjudicate on the action.
2. The European Union Intellectual Property Office (EUIPO) shall bear its own costs and pay those incurred by Rochem Group AG and Rochem Marine Srl.

⁽¹⁾ OJ C 215, 29.6.2020.

**Order of the General Court of 25 May 2021 — Rochem Group v EUIPO — Rochem Marine
(ROCHEM)**

(Case T-261/20) ⁽¹⁾

**(EU trade mark — Revocation of the contested decision — Action which has become devoid of purpose —
No need to adjudicate)**

(2021/C 278/62)

Language of the case: English

Parties

Applicant: Rochem Group AG (Zug, Switzerland) (represented by: K. Guridi Sedlak, lawyer)