

2. Agepha Pharma s.r.o and Apogepha Arzneimittel GmbH 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 10, 13.1.2020.

Order of the General Court of 1 December 2020 — Tikal Marine Systems v EUIPO — Ultra Safety Systems (Tikal Tef-Gel)

(Case T-185/20) ⁽¹⁾

(EU trade mark — Cancellation proceedings — Withdrawal of the application for a declaration of invalidity — No need to adjudicate)

(2021/C 35/67)

Language of the case: English

Parties

Applicant: Tikal Marine Systems GmbH (Norderstedt, Germany) (represented by: M. Mahnkopf, lawyer)

Defendant: European Union Intellectual Property Office (represented by: P. Sipos and V. Ruzek, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Ultra Safety Systems Inc. (Magonia Park, Florida, United States) (represented by: C. Eckhardt, A. von Mühlendahl and P. Böhner, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 29 January 2020 (Case R 2500/2018-4), relating to cancellation proceedings between Ultra Safety Systems and Tikal Marine Systems.

Operative part of the order

1. There is no longer any need to adjudicate on the action.
2. Tikal Marine Systems GmbH and Ultra Safety Systems Inc. shall bear their own costs and shall each pay half of those incurred by the European Union Intellectual Property Office (EUIPO).

⁽¹⁾ OJ C 191, 8.6.2020.

Order of the General Court of 1 December 2020 — Tikal Marine Systems v EUIPO — Ultra Safety Systems (Ultra Tef-Gel)

(Case T-192/20) ⁽¹⁾

(EU trade mark — Cancellation proceedings — Withdrawal of the application for a declaration of invalidity — No need to adjudicate)

(2021/C 35/68)

Language of the case: English

Parties

Applicant: Tikal Marine Systems GmbH (Norderstedt, Germany) (represented by: M. Mahnkopf, lawyer)

Defendant: European Union Intellectual Property Office (represented by: P. Sipos and V. Ruzek, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Ultra Safety Systems Inc. (Magonia Park, Florida, United States) (represented by: C. Eckhardt, A. von Mühlendahl and P. Böhner, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 29 January 2020 (Case R 2499/2018-4), relating to cancellation proceedings between Ultra Safety Systems and Tikal Marine Systems.

Operative part of the order

1. There is no longer any need to adjudicate on the action.
2. Tikal Marine Systems GmbH and Ultra Safety Systems Inc. shall bear their own costs and shall each pay half of those incurred by the European Union Intellectual Property Office (EUIPO).

(¹) OJ C 191, 8.6.2020.

Action brought on 16 November 2020 — Asian Gear v EUIPO — Multimox (Scooter)**(Case T-685/20)**

(2021/C 35/69)

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

Applicant: Asian Gear BV (Pijnacker, Netherlands) (represented by: B. Gravendeel, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Multimox Holding BV (Rijen, Netherlands)

Details of the proceedings before EUIPO

Proprietor of the design at issue: Other party to the proceedings before the Board of Appeal

Design at issue: Community design No 607 155-0002

Contested decision: Decision of the Third Board of Appeal of EUIPO of 3 September 2020 in Case R 1042/2018-3

Form of order sought

The applicant claims that the Court should:

- annul or vary the contested decision, so that Community design No 607 155-0002 is declared invalid;
- in the alternative, confirm the decision of the Cancellation Division of 30 April 2018 and annul the contested decision;
- order EUIPO to pay the costs to the applicant.