

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 14 February 2020 in Case R 1034/2019-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision and uphold the application for a declaration of invalidity pursuant to Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- alternatively, annul the contested decision and remit the case to the EUIPO, straight to the Cancellation Division or to the Boards of Appeal;
- in the further alternative, annul the contested decision and uphold the application for a declaration of invalidity pursuant to Articles 7(1)(a), (e)(ii) and/or (e)(iii) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- order the EUIPO to pay the costs incurred by the applicant in connection with this appeal.

Pleas in law

- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of an essential procedural requirement, alternatively infringement of Article 27(2) of Commission Delegated Regulation (EU) 2018/625;
- Infringement of Article 7(1)(a) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(e)(ii) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(e)(iii) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 15 April 2020 — Stone Brewing v EUIPO — Molson Coors Brewing Company (UK) (STONE BREWING)

(Case T-200/20)

(2020/C 201/56)

Language of the case: English

Parties

Applicant: Stone Brewing Co. LLC (Escondido, California, United States) (represented by: M. Kloth, R. Briske and D. Habel, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Molson Coors Brewing Company (UK) Ltd (Burton Upon Trent, United Kingdom)

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 trade mark STONE BREWING — Application for registration No 15 423 668

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 31 January 2020 in Case R 1524/2018-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- make an award of costs in its favour.

Pleas in law

- Infringement of Article 71(1)(b) of Commission Delegated Regulation (EU) 2018/625;
- Infringement of Article 47(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council and Article 10(3) of Commission Delegated Regulation (EU) 2018/625;
- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 17 April 2020 — Target Brands v EUIPO — The a.r.t. company b&s (ART CLASS)

(Case T-202/20)

(2020/C 201/57)

Language of the case: English

Parties

Applicant: Target Brands Inc. (Minneapolis, Minnesota, United States) (represented by: A. Norris, Barrister)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: The a.r.t. company b&s, SA (Quel, Spain)

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 word mark ART CLASS — Application for registration No 16 888 695

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 23 January 2020 in Case R 1597/2019-5