

**Action brought on 10 July 2020 — Sedus Stoll v EUIPO — Kappes (Sedus ergo+)****(Case T-436/20)**

(2020/C 279/78)

*Language in which the application was lodged: German***Parties***Applicant:* Sedus Stoll AG (Dogern, Germany) (represented by: M. Goldmann and J. Thomsen, lawyers)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* Wolfgang Kappes (Bochum, Germany)**Details of the proceedings before EUIPO***Applicant for the trade mark at issue:* Applicant*Trade mark at issue:* Application for EU word mark Sedus ergo+ — Application for registration No 15 958 374*Procedure before EUIPO:* Opposition proceedings*Contested decision:* Decision of the First Board of Appeal of EUIPO of 12 March 2020 in Case R 2194/2018-1**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- dismiss the appeal against the decision of the Opposition Division in Case No B 2 863 929; and
- order the defendant to pay the costs of the proceedings before the General Court of the European Union and order the potential intervener (Wolfgang Kappes) to pay the costs of the appeal proceedings before EUIPO.

**Plea in law**

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

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**Action brought on 13 July 2020 — Ultrasun v EUIPO (ULTRASUN)****(Case T-437/20)**

(2020/C 279/79)

*Language of the case: German***Parties***Applicant:* Ultrasun AG (Zurich, Switzerland) (represented by: A. von Mühlendahl and H. Hartwig, lawyers)*Defendant:* European Union Intellectual Property Office (EUIPO)**Details of the proceedings before EUIPO***Trade mark at issue:* Application for EU word mark ULTRASUN — Application for registration No 17 898 794*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 27 April 2020 in Case R 1453/2019-4