

Action brought on 27 July 2020 — Alteryx v EUIPO — Allocate Software (ALLOCATE)**(Case T-476/20)**

(2020/C 313/44)

*Language of the case: English***Parties**

Applicant: Alteryx, Inc. (Irvine, California, United States) (represented by: A. Poulter and M. Holah, Solicitors)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Allocate Software Ltd (London, United Kingdom)

Details of the proceedings before EUIPO

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

Trade mark at issue: European Union word mark ALLOCATE — European Union trade mark No 6 740 658

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 25 May 2020 in Case R 1709/2019-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- annul the Cancellation Division decision;
- order the defendant to bear its own costs and to pay those of the applicant, including those relating to the procedure before the Board of Appeal;
- in the event that the other party participates in the proceedings as intervener, order it to bear his own costs.

Pleas in law

- Infringement of Article 58(1)(a) in connection with Article 18 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 94(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council insofar as the Board of Appeal failed to state the reasons on which the decision is based.

Action brought on 6 August 2020 — Eos Products v EUIPO (Shape of a spherical container)**(Case T-489/20)**

(2020/C 313/45)

*Language of the case: German***Parties**

Applicant: Eos Products Sàrl (Luxembourg, Luxembourg) (represented by: S. Stolzenburg-Wiemer, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: Application for tridimensional EU mark (Shape of a spherical container) — Application for registration No 15 903 081

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 8 June 2020 in Case R 2017/2020-4

Form of order sought

The applicant claims that the Court should:

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

Pleas in law

- Infringement of Article 95 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 23 July 2020 — El Corte Inglés v EUIPO — Ou (-Vpro)

(Case T-491/20)

(2020/C 313/46)

Language in which the application was lodged: Spanish

Parties

Applicant: El Corte Inglés, SA (Madrid, Spain) (represented by: J.L. Rivas Zurdo, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Kuei-Chin Ou (Taipei, Taiwan)

Details of the proceedings before EUIPO

Applicant for the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: Application for the EU figurative mark -Vpro — Application for registration No 17 741 133

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 30 April 2020 in Case R 1758/2019-1

Form of order sought

The applicant claims that the General Court should:

- annul the contested decision, in so far as, by dismissing the appeal brought by the opponent, it upholds the decision of the Opposition Division in opposition proceedings B 3 055 001, granting EU trade mark No 17 741 133 -Vpro (figurative), to distinguish goods in Classes 24 and 25;