

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;

— order any party or parties opposing this action to pay the costs.

Plea in law

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

Action brought on 24 July 2020 — S. Tous v EUIPO — Zhejiang China-Best Import & Export (Lamp)

(Case T-492/20)

(2020/C 313/47)

Language in which the application was lodged: Spanish

Parties

Applicant: S. Tous, SL (Manresa, Spain) (represented by: D. Gómez Sánchez and J.L. Gracia Albero, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Zhejiang China-Best Import & Export Co. Ltd (Hangzhou, China)

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 (Luminaires) — Community design No 4422343-0012

Contested decision: Decision of the Third Board of Appeal of EUIPO of 26 May 2020 in Case R 1553/2019-3

Form of order sought

The applicant claims that the General Court should:

— annul the contested decision;

— order the proprietor of the contested design to pay the costs of the present proceedings, including those incurred in respect of the proceedings before the Invalidity Division and the Third Board of Appeal.

Pleas in law

Infringement of Article 25(1)(b) and (c) of Council Regulation (EC) No 6/2002 (in conjunction with Article 6, Article 7 and Article 9(2)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council).

Action brought on 10 August 2020 — Banco Cooperativo Español v SRB

(Case T-499/20)

(2020/C 313/48)

Language of the case: Spanish

Parties

Applicant: Banco Cooperativo Español, SA (Madrid, Spain) (represented by: D. Sarmiento Ramírez-Escudero, J. Beltrán de Lubiano Sáez de Urabain and P. Biscari García, lawyers)