

**Judgment of the General Court of 6 October 2021 — Power Horse Energy Drinks v EUIPO — Robot Energy Europe (UNSTOPPABLE)**

(Case T-3/21) <sup>(1)</sup>

**(EU trade mark — Invalidity proceedings — EU word mark UNSTOPPABLE — Absolute grounds for refusal — Distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009 (now Article 7(1)(b) of Regulation (EU) 2017/1001) — Lack of descriptive character — Article 7(1)(c) of Regulation No 207/2009 (now Article 7(1)(c) of Regulation 2017/1001))**

(2021/C 481/41)

*Language of the case: German*

**Parties**

*Applicant:* Power Horse Energy Drinks GmbH (Linz, Austria) (represented by: M. Woller, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: E. Markakis, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO:* Robot Energy Europe (Mijas, Spain)

**Re:**

Action brought against the decision of the Second Board of Appeal of EUIPO of 6 October 2020 (Case R 232/2020-2), relating to invalidity proceedings between Power Horse Energy Drinks and Robot Energy Europe.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Power Horse Energy Drinks GmbH to pay the costs.

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<sup>(1)</sup> OJ C 62, 22.2.2021.

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**Action brought on 18 August 2021 — TB v ENISA**

(Case T-511/21)

(2021/C 481/42)

*Language of the case: English*

**Parties**

*Applicant:* TB (represented by: L. Levi and N. Flandin, lawyers)

*Defendant:* European Union Agency for Cybersecurity (ENISA)

**Form of order sought**

The applicant claims that the Court should:

- annul the decision taken by ENISA to renew the applicant's employment contract, in so far as it reassigns the applicant to a post with non-managerial functions, this decision being formalised by the signed version of the document sent by ENISA on 13 October 2020 and presented as an amendment of her contract and by the signature of such document by both the applicant and ENISA on 26 October 2020;
- in so far as necessary, annul the defendant's decision of 12 May 2021, rejecting the complaint lodged by the applicant under Article 90(2) of the Staff Regulations against the renewal decision;