

2. Orders Daimler AG to pay the costs.

<sup>(1)</sup> OJ C 278, 12.7.2021.

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**Judgment of the General Court of 30 March 2022 — Daimler v EUIPO (Representation of three-pointed stars on a black background IV)**

(Case T-279/21) <sup>(1)</sup>

***(EU trade mark — Application for EU figurative mark — Representation of three-pointed stars on a black background IV — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EU) 2017/1001)***

(2022/C 213/51)

*Language of the case: German*

**Parties**

*Applicant:* Daimler AG (Stuttgart, Germany) (represented by: N. Siebertz, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: J. Schäfer and E. Markakis, acting as Agents)

**Re:**

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 18 March 2021 (Case R 1898/2020-5) concerning an application for registration of a figurative sign representing three-pointed stars on a black background IV as an EU trade mark.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Daimler AG to pay the costs.

<sup>(1)</sup> OJ C 278, 12.7.2021.

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**Judgment of the General Court of 30 March 2022 — Daimler v EUIPO (Representation of three-pointed stars on a black background III)**

(Case T-280/21) <sup>(1)</sup>

***(EU trade mark — Application for EU figurative mark — Representation of three-pointed stars on a black background III — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EU) 2017/1001)***

(2022/C 213/52)

*Language of the case: German*

**Parties**

*Applicant:* Daimler AG (Stuttgart, Germany) (represented by: N. Siebertz, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: J. Schäfer and E. Markakis, acting as Agents)

**Re:**

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 18 March 2021 (Case R 1897/2020-5), concerning an application for registration of a figurative sign representing three-pointed stars on a black background III as an EU trade mark.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Daimler AG to pay the costs.

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(<sup>1</sup>) OJ C 278, 12.7.2021.

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**Judgment of the General Court of 30 March 2022 — Copal Tree Brands v EUIPO — Sumol + Compal Marcas (COPALLI)**

(Case T-445/21) (<sup>1</sup>)

*(EU trade mark — Opposition proceedings — Application for EU word mark COPALLI — Earlier national word mark COMPAL — Relative ground for refusal — Damage to reputation — Article 8(5) of Regulation (EU) 2017/1001 — Unfair advantage taken of the distinctive character or repute of the earlier mark)*

(2022/C 213/53)

Language of the case: English

**Parties**

*Applicant:* Copal Tree Brands, Inc. (Oakland, California, United States) (represented by: B. Niemann Fadani, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: T. Frydendahl and D. Gája, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Sumol + Compal Marcas SA (Carnaxide, Portugal) (represented by: A. de Sampaio, lawyer)

**Re:**

Action brought against the decision of the Second Board of Appeal of EUIPO of 25 May 2021 (Case R 1581/2020-2), relating to opposition proceedings between Sumol + Compal Marcas and Copal Tree Brands.

**Operative part of the judgment**

The Court:

1. Dismisses the action
2. Orders Copal Tree Brands, Inc. to pay the costs.

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(<sup>1</sup>) OJ C 368, 13.9.2021.

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**Order of the General Court of 24 March 2022 — Di Taranto v EPPO**

(Case T-368/21) (<sup>1</sup>)

*(Action for annulment — Law governing the institutions — Enhanced cooperation on the establishment of the European Public Prosecutor's Office — Regulation (EU) 2017/1939 — Appointment of the European Delegated Prosecutors of the European Public Prosecutor's Office — Derived unlawfulness — Candidates nominated by the Italian Republic — Nomination disputed before the national court — Inadmissibility)*

(2022/C 213/54)

Language of the case: Italian

**Parties**

*Applicant:* Alessandro Di Taranto (Rome, Italy) (represented by: G. Pellegrino, lawyer)

*Defendant:* European Public Prosecutor's Office (EPPO) (represented by: L. De Matteis and T. Gut, acting as Agents)