

**Judgment of the General Court of 22 March 2023 — Coinbase v EUIPO — bitFlyer (coinbase)**(Case T-366/21) <sup>(1)</sup>**(EU trade mark — Invalidity proceedings — International registration designating the European Union — Word mark coinbase — Absolute ground for invalidity — Bad faith — Article 52(1)(b) of Regulation (EC) No 207/2009 (now Article 59(1)(b) of Regulation (EU) 2017/1001))**

(2023/C 179/40)

Language of the case: English

**Parties***Applicant:* Coinbase, Inc. (Oakland, California, United States) (represented by: A. Nordemann, 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:* bitFlyer Inc. (Tokyo, Japan)**Re:**

By its action under Article 263 TFEU, the applicant seeks annulment of the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 29 April 2021 (Case R 1751/2020-4).

**Operative part of the judgment**

The Court:

1. Annuls the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 29 April 2021 (Case R 1751/2020-4);
2. Orders EUIPO to pay the costs.

<sup>(1)</sup> OJ C 338, 23.8.2021.

**Judgment of the General Court of 29 March 2023 — ZR v EUIPO**(Case T-400/21) <sup>(1)</sup>**(Civil service — Officials — Vacancy notice — Application for interinstitutional transfer — First paragraph of Article 8 of the Staff Regulations — Transfer refusal — Priority order — Article 29(1) of the Staff Regulations — Equal treatment — Obligation to state reasons — Manifest error of assessment — Duty of care — Corrigendum)**

(2023/C 179/41)

Language of the case: English

**Parties***Applicant:* ZR (represented by: S. Rodrigues and A. Champetier, lawyers)*Defendant:* European Union Intellectual Property Office (represented by: G. Predonzani and K. Tóth, acting as Agents)**Re:**

By her action based on Article 270 TFEU, the applicant seeks the annulment of the decision of the European Union Intellectual Property Office (EUIPO) of 8 September 2020 rejecting her application for a transfer to EUIPO.

**Operative part of the judgment**

The Court:

1. Dismisses the action;

2. Orders ZR to pay the costs.

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

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**Judgment of the General Court of 29 March 2023 — Tinnus Enterprises v EUIPO — Mystic Products  
(Fluid distribution equipment)**

**(Case T-505/21) <sup>(1)</sup>**

***(Community design — Invalidity proceedings — Registered Community design representing fluid distribution equipment — Ground for invalidity — Non-compliance with requirements for protection — Article 25(1)(b) of Regulation (EC) No 6/2002 — Features of appearance of a product solely dictated by its technical function — Article 8(1) of Regulation No 6/2002)***

(2023/C 179/42)

Language of the case: English

**Parties**

*Applicant:* Tinnus Enterprises LLC (Plano, Texas, United States) (represented by: T. Wuttke and J. Lewandowski, lawyers)

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

*Other party to the proceedings before the Board of Appeal of EUIPO:* Mystic Products Import & Export, SL (Badalona, Spain)

**Re:**

By its action under Article 263 TFEU, the applicant seeks the annulment and alteration of the decision of the Third Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 9 June 2021 (Case R 1003/2018-3).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Tinnus Enterprises LLC to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO).

<sup>(1)</sup> OJ C 401, 4.10.2021.

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**Judgment of the General Court of 29 March 2023 — Tinnus Enterprises v EUIPO — Mystic Products  
(Fluid distribution equipment)**

**(Case T-535/21) <sup>(1)</sup>**

***(Community design — Invalidity proceedings — Registered Community design representing fluid distribution equipment — Ground for invalidity — Non-compliance with requirements for protection — Article 25(1)(b) of Regulation (EC) No 6/2002 — Features of appearance of a product solely dictated by its technical function — Article 8(1) of Regulation No 6/2002)***

(2023/C 179/43)

Language of the case: English

**Parties**

*Applicant:* Tinnus Enterprises LLC (Plano, Texas, United States) (represented by: T. Wuttke and J. Lewandowski, lawyers)

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