

**Judgment of the General Court of 16 November 2022 — Epsilon Data Management v EUIPO —
Epsilon Technologies (EPSILON TECHNOLOGIES)**

(Case T-512/21) ⁽¹⁾

*(EU trade mark — Revocation proceedings — EU figurative mark EPSILON TECHNOLOGIES —
Genuine use of the mark — Article 18(1), second subparagraph, point (a), and Article 58(1)(a) of
Regulation (EU) 2017/1001 — Nature of the use — Form differing in elements which do not alter the
distinctive character — Use in connection with the services in respect of which the mark was registered)*

(2023/C 24/50)

Language of the case: English

Parties

Applicant: Epsilon Data Management LLC (Plano, Texas, United States) (represented by: J. Bussé and C. De Preter, lawyers)

Defendant: European Union Intellectual Property Office (represented by: I. Harrington, D. Gája and V. Ruzek, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Epsilon Technologies, SL (Madrid, Spain) (represented by: J. Carbonell Callicó and E. Felip Corrius, lawyers)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the Fifth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 1 June 2021 (Joined Cases R 1611/2020-5 and R 1839/2020-5).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Epsilon Data Management LLC to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO) and by Epsilon Technologies, SL.

⁽¹⁾ OJ C 412, 11.10.2021.

**Judgment of the General Court of 16 November 2022 — Grupo Eig Multimedia v EUIPO —
Globalización de Valores CFC & GCI (FORO16)**

(Case T-796/21) ⁽¹⁾

*(EU trade mark — Opposition proceedings — Application for EU figurative mark FORO16 — Earlier EU
figurative and word marks Cambio16, Energia16, Cambio16 radio — Earlier national figurative and word
marks Camb16, DEFENSA Y SEGURIDAD 16, CAMBIO16 DIGITAL, EVENTOS 16, Salón16 —
Relative ground for refusal — Family of marks — No evidence — No likelihood of confusion — Article 8
(1)(b) of Regulation (EU) 2017/1001)*

(2023/C 24/51)

Language of the case: Spanish

Parties

Applicant: Grupo Eig Multimedia, SL (Madrid, Spain) (represented by: D. Solana Giménez, lawyer)