

3. Orders the Italian Republic and Airbus Defence and Space GmbH to bear their own costs.

⁽¹⁾ OJ C 88, 15.3.2021.

Judgment of the General Court of 26 April 2023 — Rochem Group v EUIPO — Rochem Marine (R.T. S. ROCHEM Technical Services)

(Case T-546/21) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU figurative mark R.T.S. ROCHEM Technical Services — Earlier national figurative mark ROCHEM MARINE — Relative ground for invalidity — Proof of genuine use of the earlier mark — Articles 15 and 57(2) of Regulation (EC) No 207/2009 (now Articles 18 and 64 (2) of Regulation (EU) 2017/1001))

(2023/C 216/51)

Language of the case: English

Parties

Applicant: Rochem Group AG (Zug, Switzerland) (represented by: K. Guridi Sedlak, lawyer)

Defendant: European Union Intellectual Property Office (represented by: D. Walicka, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Rochem Marine Srl (Genoa, Italy) (represented by: R. Gioia and L. Mansi, lawyers)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the First Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 28 June 2021 (Case R 1544/2019-1).

Operative part of the judgment

The Court:

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

⁽¹⁾ OJ C 422, 18.10.2021.

Judgment of the General Court of 26 April 2023 — Rochem Group v EUIPO — Rochem Marine (R.T. S. Rochem Technical Services)

(Case T-547/21) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU word mark R.T.S. Rochem Technical Services — Earlier national figurative mark ROCHEM MARINE — Relative ground for invalidity — Proof of genuine use of the earlier mark — Articles 15 and 57(2) of Regulation (EC) No 207/2009 (now Articles 18 and 64(2) of Regulation (EU) 2017/1001))

(2023/C 216/52)

Language of the case: English

Parties

Applicant: Rochem Group AG (Zug, Switzerland) (represented by: K. Guridi Sedlak, lawyer)

Defendant: European Union Intellectual Property Office (represented by: D. Walicka, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Rochem Marine Srl (Genoa, Italy) (represented by: R. Gioia and L. Mansi, lawyers)