

Defendant: European Union Intellectual Property Office (represented by: T. Frydendahl and V. Ruzek, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Swami Vidyanand (Villupuram, India) (represented by: L. Saglietti and E. Bianco, lawyers)

Re:

By its action under Article 263 TFEU, the applicant seeks annulment of the decision of the First Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 17 May 2021 (Case R 1062/2020-1).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders YAplus DBA Yoga Alliance to pay the costs.

⁽¹⁾ OJ C 368, 13.9.2021.

Judgment of the General Court of 21 December 2022 — Pharmadom v EUIPO — Wellbe Pharmaceuticals (WellBe PHARMACEUTICALS)

(Case T-644/21) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the EU figurative mark WellBe PHARMACEUTICALS — Earlier national word mark WELL AND WELL — Relative ground for refusal — No likelihood of confusion — No similarity between the signs — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001))

(2023/C 83/25)

Language of the case: English

Parties

Applicant: Pharmadom (Boulogne-Billancourt, France) (represented by: M.-P. Dauquaire, 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: Wellbe Pharmaceuticals S.A. (Warsaw, Poland)

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 12 July 2021 (Case R 1423/2020-5).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Pharmadom to pay the costs.

⁽¹⁾ OJ C 37, 24.1.2022.