

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the European Commission to pay the costs.

(¹) OJ C 24, 17.1.2022.

Judgment of the General Court of 5 October 2022 — Les Bordes Golf International v EUIPO — Mast-Jägermeister (LES BORDES)

(Case T-696/21) (¹)

(EU trade mark — Opposition proceedings — Application for the EU figurative mark LES BORDES — Earlier international figurative mark consisting of inter alia a stag's head — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001)

(2022/C 463/56)

Language of the case: English

Parties

Applicant: Les Bordes Golf International (Saint-Laurent-Nouan, France) (represented by: M. Maier, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Mast-Jägermeister SE (Wolfenbüttel, Germany) (represented by: C. Drzymalla, lawyer)

Re:

By its action under Article 263 TFEU, the applicant, Les Bordes Golf International, seeks annulment of the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 1 September 2021 (Case R 67/2021-4).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Les Bordes Golf International to bear the costs.

(¹) OJ C 2, 3.1.2022.

Judgment of the General Court of 12 October 2022 — Associação do Socorro e Amparo v EUIPO — De Bragança (quis ut Deus)

(Case T-752/21) (¹)

(EU trade mark — Revocation proceedings — EU figurative mark quis ut Deus — Lack of genuine use of the mark — Article 58(1)(a) of Regulation (EU) 2017/1001)

(2022/C 463/57)

Language of the case: Portuguese

Parties

Applicant: Associação do Socorro e Amparo (Lisbon, Portugal) (represented by: J. Motta Veiga, lawyer)

Defendant: European Union Intellectual Property Office (represented by: I. Ribeiro da Cunha and D. Gája, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO: Duarte Pio De Bragança (Sintra, Portugal)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 21 October 2021 (Case R 581/2021-4).

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 21 October 2021 (Case R 581/2021-4) in so far as it annulled in part the decision of the Cancellation Division of 29 January 2021;
2. Dismisses the action as to the remainder;
3. Orders EUIPO to bear its own costs and to pay those incurred by Associação do Socorro e Amparo.

(¹) OJ C 37, 24.1.2022.

Judgment of the General Court of 5 October 2022 — just-organic.com v EUIPO (JUST ORGANIC)

(Case T-802/21) (¹)

(EU trade mark — Application for the EU figurative mark JUST ORGANIC — Absolute grounds for refusal — Descriptive character — Article 7(1)(c) of Regulation (EU) 2017/1001)

(2022/C 463/58)

Language of the case: German

Parties

Applicant: just-organic.com GmbH (Essen, Germany) (represented by: C. Menebröcker, lawyer)

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

Re:

By its action under Article 263 TFEU, the applicant seeks annulment of the decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 20 October 2021 (Case: R 1010/2021-2).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders just-organic.com GmbH to pay the costs.

(¹) OJ C 73, 14.2.2022.