

Judgment of the General Court of 26 October 2022 — Gameageventures v EUIPO — (GAME TOURNAMENTS)

(Case T-776/21) ⁽¹⁾

(EU trade mark — Application for EU figurative mark GAME TOURNAMENTS — Absolute grounds for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EU) 2017/1001 — Descriptive character — Article 7(1)(c) of Regulation 2017/1001 — No distinctive character acquired through use — Article 7(3) of Regulation 2017/1001 — Obligation to state reasons — Article 94(1) of Regulation 2017/1001 — Right to be heard — Equal treatment — Principle of sound administration)

(2023/C 7/39)

Language of the case: English

Parties

Applicant: Gameageventures LLP (Folkestone, United Kingdom) (represented by: S. Santos Rodríguez, lawyer)

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

Re:

By its action based on Article 263 TFEU, the applicant seeks annulment of the decision of the Fifth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 5 October 2021 (Case R 211/2021-5).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Gameageventures LLP to pay the costs.

⁽¹⁾ OJ C 64, 7.2.2022.

Judgment of the General Court of 9 November 2022 — Loutsou v EUIPO (POLIS LOUSTRON)

(Case T-13/22) ⁽¹⁾

(EU trade mark — Application for EU figurative mark POLIS LOUSTRON — Absolute grounds for refusal — Descriptive character — Article 7(1)(c) of Regulation (EU) 2017/1001 — No distinctive character — Article 7(1)(b) of Regulation 2017/1001)

(2023/C 7/40)

Language of the case: Greek

Parties

Applicant: Alexandra Loutsou (Thessaloniki, Greece) (represented by: S. Psomakakis, lawyer)

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

Re:

By her action based on 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 20 October 2021 (Case R 544/2020-1).