

**Judgment of the General Court of 30 November 2022 — Lila Rossa Engros v EUIPO (LiLAC)**(Case T-780/21) <sup>(1)</sup>**(EU trade mark — Application for EU figurative mark LiLAC — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EU) 2017/1001)**

(2023/C 35/68)

Language of the case: Romanian

**Parties***Applicant:* Lila Rossa Engros SRL (Voluntari, Romania) (represented by: O. Anghel, lawyer)*Defendant:* European Union Intellectual Property Office (represented by: V. Ruzek, 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 10 September 2021 (Case R 441/2021-5).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Lila Rossa Engros SRL to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO).

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<sup>(1)</sup> OJ C 95, 28.2.2022.

**Judgment of the General Court of 30 November 2022 — Hasco TM v EUIPO — Esi (NATURCAPS)**(Case T-12/22) <sup>(1)</sup>**(EU trade mark — Invalidity proceedings — EU word mark NATURCAPS — Earlier national word mark NATURKAPS — No genuine use of the earlier trade mark — Article 64(2) of Regulation (EU) 2017/1001 — Classification of pharmaceutical products and food supplements)**

(2023/C 35/69)

Language of the case: English

**Parties***Applicant:* Hasco TM sp. z o.o. sp.k. (Wrocław, Poland) (represented by: M. Krekora, lawyer)*Defendant:* European Union Intellectual Property Office (represented by: J. Ivanauskas, acting as Agent)*Other party to the proceedings before the Board of Appeal of EUIPO:* Esi Srl (Albisola Superiore, Italy)**Re:**

By its action under Article 263 TFEU, the applicant seeks annulment of the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 9 November 2021 (Case R 617/2021-4).