

**Judgment of the General Court of 25 January 2023 — Zielonogórski Klub Żużlowy Sportowa v EUIPO — Falubaz Polska (FALUBAZ)**

(Case T-703/21) <sup>(1)</sup>

**(EU trade mark — Invalidity proceedings — EU word mark FALUBAZ — Absolute ground for invalidity — Bad faith — Article 52(1)(b) of Regulation (EC) No 207/2009 (now Article 59(1)(b) of Regulation (EU) 2017/1001))**

(2023/C 94/38)

Language of the case: Polish

**Parties**

*Applicant:* Zielonogórski Klub Żużlowy Sportowa S.A. (Zielona Góra, Poland) (represented by: T. Grucelski, 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:* Falubaz Polska S.A. spółka komandytowo-akcyjna (Zielona Góra) (represented by: J. Kurzawski, lawyer)

**Re:**

By its action based on 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 24 August 2021 (Case R 1681/2020-1).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Zielonogórski Klub Żużlowy Sportowa S.A. to pay the costs.

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<sup>(1)</sup> OJ C 11, 10.1.2022.

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**Judgment of the General Court of 25 January 2023 — NS v Parliament**

(Case T-805/21) <sup>(1)</sup>

**(Civil service — Officials — Reassignment — Interests of the service — Correspondence between the grade and the post — Loss of an allowance — Right to be heard — Obligation to state reasons — Misuse of powers and abuse of procedure)**

(2023/C 94/39)

Language of the case: French

**Parties**

*Applicant:* NS (represented by: L. Levi, lawyer)

*Defendant:* European Parliament (represented by: I. Lázaro Betancor, L. Darie and K. Zejdová, acting as Agents)

**Re:**

By her action based on Article 270 TFEU, the applicant seeks, first, annulment of the decision of the European Parliament of 21 January 2021 by which she was reassigned to [confidential information redacted] and, in so far as necessary, of the decisions of 16 September 2021 rejecting her complaint and of 8 March 2021 on the recovery of the overpayment; second, the applicant seeks compensation for the damage she is alleged to have suffered as a result of those decisions.

**Operative part of the judgment**

The Court:

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

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<sup>(1)</sup> OJ C 73, 14.2.2022.

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**Judgment of the General Court of 25 January 2023 — Scania CV v EUIPO (V8)**

(Case T-320/22) <sup>(1)</sup>

*(EU trade mark — Application for EU figurative mark V8 — Absolute grounds for refusal — Descriptive character — Article 7(1)(c) of Regulation (EU) 2017/1001 — No distinctive character acquired through use — Article 7(3) of Regulation 2017/1001)*

(2023/C 94/40)

Language of the case: Swedish

**Parties**

*Applicant:* Scania CV (Södertälje, Sweden) (represented by: C. Langenius, P. Sundin and S. Falkner, lawyers)

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

**Re:**

By its action under Article 263 TFEU, the applicant seeks the annulment and alteration of the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 23 March 2022 (Case R 1868/2020-4).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders each party to bear its own costs.

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<sup>(1)</sup> OJ C 284, 25.7.2022.

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**Judgment of the General Court of 25 January 2023 — De Dietrich Process Systems v EUIPO — Koch-Glitsch (SCHEIBEL)**

(Case T-351/22) <sup>(1)</sup>

*(EU trade mark — Invalidity proceedings — EU word mark SCHEIBEL — Absolute ground for invalidity — Article 7(1)(c) and Article 51(1)(a) of Regulation (EC) No 40/94 (now Article 7(1)(c) and Article 59(1)(a) of Regulation (EU) 2017/1001)*

(2023/C 94/41)

Language of the case: English

**Parties**

*Applicant:* De Dietrich Process Systems GmbH (Mainz, Germany) (represented by: M. Körner, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: M. Eberl and T. Klee, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO:* Koch-Glitsch LP (Wichita, Kansas, United States)