

*Defendant:* European Union Intellectual Property Office (represented by: R. Manea and E. Markakis, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Perfect Care Distribution SRL (Bucharest, Romania) (represented by: R. Pop, lawyer)

**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 17 November 2021 (Case R 520/2021-2).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Romedor Pharma SRL to bear its own costs and to pay those incurred by the European Union Intellectual Property Office (EUIPO);
3. Orders Perfect Care Distribution SRL to bear its own costs.

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(<sup>1</sup>) OJ C 138, 28.3.2022.

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**Judgment of the General Court of 1 March 2023 — Romedor Pharma v EUIPO — Perfect Care Distribution (CERVIRON perfect care)**

(Case T-38/22) (<sup>1</sup>)

*(EU trade mark — Invalidity proceedings — European Union figurative mark CERVIRON perfect care — Earlier unregistered national trade mark CERVIRON — Relative ground for invalidity — Article 8(4) and Article 60(1)(c) of Regulation (EU) 2017/1001)*

(2023/C 134/17)

*Language of the case: Romanian*

**Parties**

*Applicant:* Romedor Pharma SRL (Focșani, Romania) (represented by: E.-M. Dicu, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO) (represented by: R. Manea and E. Markakis, acting as Agents)

*Other party to the proceedings before the Board of Appeal of the EUIPO, intervening before the General Court:* Perfect Care Distribution SRL (Bucharest, Romania) (represented by: R. Pop, lawyer)

**Re:**

By its action under Article 263 TFEU, the applicant seeks annulment of the decision of the Second Board of Appeal of EUIPO of 17 November 2021 (Case R 521/2021-2).

**Operative part of the judgment**

The Court:

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

3. Orders Perfect Care Distribution SRL to bear its own costs.

<sup>(1)</sup> OJ C 138, 28.3.2022.

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**Judgment of the General Court of 1 March 2023 — Transgourmet Ibérica v EUIPO — Aldi (Gourmet)**  
**(Case T-102/22) <sup>(1)</sup>**

***(EU trade mark — Invalidity proceedings — EU figurative mark Gourmet — Earlier national word mark GOURMET — Relative ground for invalidity — Distinctive character of earlier mark — Genuine use of the earlier mark — Form differing in elements which alter the distinctive character)***

(2023/C 134/18)

Language of the case: English

**Parties**

*Applicant:* Transgourmet Ibérica, SAU (Gerona, Spain) (represented by: C. Duch Fonoll and I. Osinaga Lozano, lawyers)

*Defendant:* European Union Intellectual Property Office (EUIPO) (represented by: E. Nicolás Gómez and D. Gája, acting as Agents)

*Other party to the proceedings before the Board of Appeal of the EUIPO:* Aldi GmbH & Co. KG (Mülheim an der Ruhr, Germany)

**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 14 December 2021 (Case R 862/2021-2).

**Operative part of the judgment**

The Court:

1. Annuls the decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 14 December 2021 (Case R 862/2021-2);
2. Dismisses the action as to the remainder;
3. Orders EUIPO to bear its own costs and to pay all the costs incurred by Transgourmet Ibérica, SAU.

<sup>(1)</sup> OJ C 165, 19.4.2022.

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**Judgment of the General Court of 1 March 2023 — Lifestyle Equities v EUIPO — Greenwich Polo Club (GREENWICH POLO CLUB GPC 2002)**

**(Case T-217/22) <sup>(1)</sup>**

***(EU trade mark — Invalidity proceedings — EU figurative mark GREENWICH POLO CLUB GPC 2002 — Earlier EU figurative mark BEVERLY HILLS POLO CLUB — Relative ground for invalidity — No likelihood of confusion — No similarity of the goods — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EU) 2017/1001))***

(2023/C 134/19)

Language of the case: English

**Parties**

*Applicant:* Lifestyle Equities CV (Amstelveen, Netherlands) (represented by: S. Terpstra, lawyer)