



C/2023/330

30.10.2023

**Judgment of the General Court of 6 September 2023 — Chmielarz v EUIPO — Granulat (granulat)**  
(Case T-557/22) <sup>(1)</sup>

*(EU trade mark — Opposition proceedings — Application for the EU figurative mark granulat — International registration of the earlier figurative mark GRANULAT2000 — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001)*

(C/2023/330)

Language of the case: English

**Parties**

*Applicant:* Arkadiusz Chmielarz (Olsztyn, Poland) (represented by: D. Sęczkowski, lawyer)

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

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Granulat GmbH (Troisdorf, Germany) (represented by: A. Hufendiek, lawyer)

**Re:**

By his 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 30 June 2022 (Case R 1197/2021-4).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Mr Arkadiusz Chmielarz to bear his own costs and to pay those incurred by Granulat GmbH;
3. Orders the European Union Intellectual Property Office (EUIPO) to bear its own costs.

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<sup>(1)</sup> OJ C 418, 31.10.2022.