

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: Application for European Union figurative mark TRAUMGEL — Application for registration No 16 289 712

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 20 December 2021 in Case R 813/2021-4

Form of order sought

The applicant claims that the Court should:

- annul the order No. 3 of the contested decision of the Fourth Board of Appeal — R 813/2021-4 of 20 December 2021;
- alter the order No. 1 of the contested decision of the Fourth Board of Appeal -R 813/2021-4 of 20 December 2021;
- annul the decision of the Opposition Division of 6 April 2021 beyond the goods contained in the order No. 1 insofar as the opposition was rejected for goods in Class 3;
- order the other party to the proceedings before EUIPO to pay the costs.

Plea in law

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 10 March 2022 — Katjes Fassin v EUIPO (THE FUTURE IS PLANT-BASED)

(Case T-133/22)

(2022/C 171/62)

Language of the case: German

Parties

Applicant: Katjes Fassin GmbH & Co. KG (Emmerich am Rhein, Germany) (represented by: T. Schmitz and S. Stolzenburg-Wierner, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: Application for EU word mark THE FUTURE IS PLANT-BASED — Application No 18 310 582

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 21 December 2021 in Case R 1023/2021-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

Plea in law

Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Article 7(2) thereof.
