

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Kolios AE Elliniki Viomichania Galaktos (Kilkis, Greece)

### **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 HALLOUMAKI — Application for registration No 18 126 405

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 12 May 2022 in Case R 1941/2021-5

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO (and the intervener, should it take part in the proceedings) to bear its own costs and pay the costs of the applicant for annulment before the General Court and before the Board of Appeal.

### **Plea in law**

- Infringement of Article 13(1)(b) of Regulation (EU) 1151/2012 of the European Parliament and of the Council.

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## **Action brought on 7 August 2022 — Multiópticas v EUIPO — Nike Innovate (Representation of two black geometrical shapes)**

**(Case T-487/22)**

(2022/C 368/48)

*Language in which the application was lodged: English*

### **Parties**

*Applicant:* Multiópticas, S. Coop. (Colmenar Viejo, Spain) (represented by: M. López Camba and A. Lyubomirova Geleva, lawyers)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Nike Innovate CV (Beaverton, Oregon, United States)

### **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 (Representation of two black geometrical shapes) — Application for registration No 18 154 653

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 2 June 2022 in Case R 1762/2021-4

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs incurred by the applicant;
- order Nike Innovate CV to pay the costs incurred by the applicant.

**Plea in law**

- Infringement of Article 8(5) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

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**Action brought on 8 August 2022 — Dr. Rudolf Liebe Nachfolger v EUIPO — Bit Beauty  
(ayuna LESS IS BEAUTY)**

(Case T-490/22)

(2022/C 368/49)

*Language in which the application was lodged: English*

**Parties**

*Applicant:* Dr. Rudolf Liebe Nachfolger GmbH & Co. KG (Leinfelden-Echterdingen, Germany) (represented by: E. Stolz, U. Stelzenmüller, H. Meyerfeldt and J. Weiser, lawyers)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Bit Beauty, SL (Barcelona, Spain)

**Details of the proceedings before EUIPO**

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

*Trade mark at issue:* International registration designating the European Union in respect of the figurative mark ayuna LESS IS BEAUTY — International registration designating the European Union No 11 369 553

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 2 June 2022 in Case R 982/2021-2

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- uphold opposition B 003088668 in its entirety and reject the IR No. 11 369 553 designating the EU;
- order the defendant, and, as the case may be, the IR holder/possible intervener to pay the costs relating to the present proceedings and those incurred for the proceedings before the Board of Appeal of EUIPO.

**Plea in law**

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