

Other party to the proceedings before the Board of Appeal: BASF AS (Oslo, Norway)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant before the General Court

Trade mark at issue: International registration designating the European Union in respect of the mark OMEGOR — International registration designating the European Union No 1 409 659

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 10 June 2022 in Case R 1168/2021-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order the adverse parties to bear the costs of the present proceedings.

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 11 August 2022 — UGA Nutraceuticals v EUIPO — BASF (OMEGOR VITALITY)

(Case T-496/22)

(2022/C 380/28)

Language in which the application was lodged: English

Parties

Applicant: UGA Nutraceuticals Srl (Gubbio, Italy) (represented by: M. Riva, J. Graffer and A. Ottolini, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: BASF AS (Oslo, Norway)

Details of the proceedings before EUIPO

Applicant: Applicant before the General Court

Trade mark at issue: Application for European Union word mark OMEGOR VITALITY — Application for registration No 18 082 021

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 10 June 2022 in Case R 1200/2021-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order the adverse parties to bear the costs of the present proceedings.

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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