

Action brought on 13 December 2022 — TUI Holding v EUIPO — inCruises International (INCRUISES)

(Case T-780/22)

(2023/C 45/36)

Language in which the application was lodged: English

Parties

Applicant: TUI Holding Spain, SLU (Palma de Mallorca, Spain) (represented by: H. Fangmann, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: inCruises International LLC (San Juan, Puerto Rico, 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 word mark INCRUISES — Application for registration No 18 034 630

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 21 September 2022 in Case R 1081/2021-2

Form of order sought

The applicant claims that the Court should:

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

Pleas in law

- Infringement of Article 47(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 33(5) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 13 December 2022 — Madre Querida and Others v Commission

(Case T-781/22)

(2023/C 45/37)

Language of the case: Spanish

Parties

Applicants: Madre Querida, SL (Burela, Spain), Hermanos Galdo, SL (Burela), Pesqueras Breogan, SL (Burela), Bresco Pesca, SL (Burela), Casariego 99, SL (Ribadeo, Spain), Pesquerías Mapa, SL (Gozon, Spain), Virgen de Pastoriza, SL (Burela), Pesca Norte Breogan, SL (Burela), Basanta Frá Hnos, CB (Burela), Armapesca Burela, SL (Burela), Deycon Pesca, SL (Viveiro, Spain), Larrabaste, SLU (Cariño, Spain), Pesqueras Canoura, SL (Burela), Pesqueras Luarquesa, SL (Navia, Spain), Pastor Nauta, CB (Cervo, Spain), Villaselán 99, SL (Tapia de Casariego, Spain), Organización de Productores Pesqueros del Puerto de Burela (LUGO) (Burela) (represented by: Á. Givaja Sanz, A. Lamadrid de Pablo and V. Romero Algarra, lawyers)

Defendant: European Commission