



C/2024/3471

10.6.2024

**Order of the General Court of 15 April 2024 – Japan Tobacco v EUIPO – Dunhill Tobacco of London  
(FLOW FILTER)**

(Case T-20/23) <sup>(1)</sup>

*(EU trade mark – Invalidity proceedings – EU figurative mark FLOW FILTER – Absolute grounds for refusal – Distinctive character – Lack of descriptive character – Lack of customary character – Article 7(1)(b), (c) and (d) of Regulation (EU) 2017/1001 – Action manifestly lacking any foundation in law)*

(C/2024/3471)

Language of the case: English

**Parties**

*Applicant:* Japan Tobacco, Inc. (Tokyo, Japan) (represented by: J.L. Gracia Albero and E. Cebollero González, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: D. Gája, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Dunhill Tobacco of London Ltd (London, United Kingdom) (represented by: I. Fowler, I. Junkar and B. Worbes, lawyers)

**Re:**

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the Fifth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 25 October 2022 (Case R 1774/2021-5).

**Operative part of the order**

1. The action is dismissed.
2. Japan Tobacco, Inc. shall bear its own costs and pay those incurred by Dunhill Tobacco of London Ltd.
3. The European Union Intellectual Property Office (EUIPO) shall bear its own costs.

---

<sup>(1)</sup> OJ C 83, 6.3.2023.