

Action brought on 31 May 2023 — Vía Atlántica Adegas e Viñedos v EUIPO — Casa Relvas (VIA ATLÁNTICA)

(Case T-301/23)

(2023/C 252/93)

Language in which the application was lodged: English

Parties

Applicant: Vía Atlántica Adegas e Viñedos, SL (Chantada, Spain) (represented by: E. Manresa Medina, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Casa Relvas Lda (Redondo, Portugal)

Details of the proceedings before EUIPO

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

Trade mark at issue: Application for European Union word mark VIA ATLÁNTICA — Application for registration No 18 205 496

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 10 March 2023 in Case R 1419/2022-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the intervener, if any, 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 31 May 2023 — WeinArt Handelsgesellschaft v EUIPO — Donnafugata (KABI)

(Case T-302/23)

(2023/C 252/94)

Language in which the application was lodged: English

Parties

Applicant: WeinArt Handelsgesellschaft mbH (Geisenheim, Germany) (represented by: M. Heinrich, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Donnafugata Srl (Marsala, Italy)

Details of the proceedings before EUIPO

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

Trade mark at issue: Application for European Union word mark KABI — Application for registration No 18 178 376