

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 8 June 2023 — Adeva v EUIPO — Sideme (MAISON CAVIST.)**(Case T-313/23)**

(2023/C 261/58)

*Language in which the application was lodged: French***Parties**

Applicant: Adeva (Mitry-Mory, France) (represented by: S. Drillon, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Société Industrielle d'Équipement Moderne SA (Sideme) (Levallois-Perret, France)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: EU word mark MAISON CAVIST. — EU trade mark No 18 293 519

Proceedings before EUIPO: Cancellation proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 31 March 2023 in Case R 1623/2022-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision in so far as it dismissed the appeal brought by Adeva;
- dismiss in its entirety the application for a declaration of invalidity of the EU trade mark MAISON CAVIST. No 18 293 519 submitted by Sideme.

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 8 June 2023 — Tiendanimal v EUIPO (CRIADORES)**(Case T-314/23)**

(2023/C 261/59)

*Language of the case: Spanish***Parties**

Applicant: Tiendanimal Comercio Electronico de Articulos para Mascotas, SL (Malaga, Spain) (represented by: T. González Martínez, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: Application for EU figurative trade mark 'CRIADORES' — Application No 18 186 334

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 27 March 2023 in Case R 798/2021-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- allow the contested trade mark to proceed to registration in Classes 5 and 31.
- order EUIPO to pay the costs.

Pleas in law

Infringement of Article 7(1)(b) and (c), and of Article 7(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 9 June 2023 — Pfriem v EUIPO — U-Control (UC)

(Case T-316/23)

(2023/C 261/60)

Language in which the application was lodged: English

Parties

Applicant: Hanns Pfriem (Schweinfurt, Germany) (represented by: M. Pütz-Poulalion, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: U-Control Srl (Torrile, Italy)

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 UC — International registration designating the European Union No 1 569 179

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 16 March 2023 in Case R 1404/2022-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- uphold the opposition No B3146448 in its entirety, and reject the contested application in respect of all contested goods and services;
in the alternative,
remit the case to the Board of Appeal for re-examination.
- order EUIPO to bear the applicant's costs and expenses.