

Action brought on 7 July 2023 — Washtower IP v EUIPO — LG Electronics (WASHTOWER)**(Case T-376/23)**

(2023/C 296/49)

*Language in which the application was lodged: English***Parties***Applicant:* Washtower IP BV (Hengelo, Netherlands) (represented by: L. Fresco, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* LG Electronics, Inc. (Seoul, Republic of Korea)**Details of the proceedings before EUIPO***Proprietor of the trade mark at issue:* Applicant before the General Court*Trade mark at issue:* European Union word mark WASHTOWER — European Union trade mark No 18 193 675*Procedure before EUIPO:* Cancellation proceedings*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 26 April 2023 in Case R 412/2022-5**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision and dismiss LG Electronics' cancellation action or, alternatively, annul that decision and send the case back to the Board of Appeal for reconsideration;
- order EUIPO and the other party to the proceedings to bear their own costs and pay those of the applicant.

Pleas in law

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

Action brought on 12 July 2023 — Ergotopia v EUIPO (Wellback)**(Case T-388/23)**

(2023/C 296/50)

*Language of the case: German***Parties***Applicant:* Ergotopia GmbH (Darmstadt, Germany) (represented by: A. Biesterfeld-Kuhn)*Defendant:* European Union Intellectual Property Office (EUIPO)**Details of the proceedings before EUIPO***Trade mark at issue:* Application for the EU word mark 'Wellback' — Application No 18 682 838