



C/2024/2169

25.3.2024

Action brought on 5 February 2024 — Schmidt Spiele v EUIPO — de Gea Quintana (DDG)

(Case T-53/24)

(C/2024/2169)

Language in which the application was lodged: English

Parties

Applicant: Schmidt Spiele GmbH (Berlin, Germany) (represented by: T. Urek, lawyer)

Defendant: European Union Intellectual Property Office

Other party to the proceedings before the Board of Appeal: David de Gea Quintana (Hale Barns, United Kingdom)

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 figurative mark DDG — Application for registration No 18 567 763

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 4 December 2023 in Case R 1039/2023-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- annul the decision of the Opposition Division of 28 September 2021;
- refer the case back to EUIPO;
- order EUIPO to pay the costs, including the costs of the proceedings before EUIPO.

Plea in law

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.