



C/2025/1664

24.3.2025

**Action brought on 4 February 2025 – LTV Leuchten & Lampen v EUIPO – XAL (Lights)**

**(Case T-82/25)**

(C/2025/1664)

*Language in which the application was lodged: German*

**Parties**

*Applicant:* LTV Leuchten & Lampen Vertriebs GmbH (Brunn am Gebirge, Austria) (represented by: C. Pilz, lawyer)

*Defendant:* European Union Intellectual Property Office

*Other party to the proceedings before the Board of Appeal:* XAL GmbH (Graz, Austria)

**Details of the proceedings before EUIPO**

*Proprietor of the design at issue:* Other party to the proceedings before the Board of Appeal

*Design at issue:* Community design (Lights) – Community design No 1 098 511-0001

*Proceedings before EUIPO:* Invalidity proceedings

*Contested decision:* Decision of the Third Board of Appeal of EUIPO of 9 December 2024 in Case R 1845/2023-3

**Form of order sought**

The applicant claims that the Court should:

- amend the contested decision to the effect that the applicant's appeal is upheld and, by amending the decision of the Invalidity Division of EUIPO of 7 July 2023 (Invalidity proceedings No ICD 119 618), declare Community design No 1 098 511-0001 invalid in accordance with the application made by the applicant before the Board of Appeal (applicant for a declaration of invalidity);  
or, in the alternative
- annul the contested decision and refer the case back to the Board of Appeal of EUIPO to take a decision on the merits after appropriate further proceedings;
- order EUIPO to bear its own costs and to pay all recoverable costs incurred by the applicant in the present proceedings and in the proceedings before the Board of Appeal pursuant to Article 134(1) of the Rules of Procedure.

**Pleas in law**

- Infringement of essential procedural requirements;
- Infringement of Article 6 of Council Regulation (EC) No 6/2002;
- Misuse of powers.