

## JUDGMENT OF THE COURT

(Sixth Chamber)

of 29 April 2004

in Joined Case C-456/01 P and C-457/01P: Henkel KGaA v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) <sup>(1)</sup>

*(Appeal — Community trade mark — Article 7(1)(b) of Regulation (EC) No 40/94 — Three-dimensional tablets for washing machines or dishwashers — Absolute ground for refusal to register — Distinctive character)*

(2004/C 118/26)

*(Language of the case: German)*

*(Provisional translation; the definitive translation will be published in the European Court Reports)*

In Joined Cases C-456/01 P and C-457/01 P: two appeals by Henkel KGaA, established in Düsseldorf (Germany), (Lawyer: C. Osterrieth) – against the judgments of the Court of First Instance of the European Communities (Second Chamber) of 19 September 2001 in Case T-335/99 Henkel v OHIM (rectangular tablet, red and white) [2001] ECR II-2581 and Case T-336/99 Henkel v OHIM (rectangular tablet, green and white) [2001] ECR II-2589, seeking to have those judgments set aside, the other party to the proceedings being: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agents: D. Schennen and S. Laitinen) Å the Court (Sixth Chamber), composed of: V. Skouris, acting as the President of the Sixth Chamber, J.N. Cunha Rodrigues, J.-P. Puissochet, R. Schintgen and F. Macken (Rapporteur), Judges; D. Ruiz-Jarabo Colomer, Advocate General; M. Múgica Arzamendi, Principal Administrator, for the Registrar, has given a judgment on 29 April 2004, in which it:

1. Dismisses the appeals;
2. Orders Henkel KGaA to pay the costs

<sup>(1)</sup> OJ C 84 of 6.4.2002

## JUDGMENT OF THE COURT

(Sixth Chamber)

of 29 April 2004

in Joined Cases C-468/01 P to C-472/01 P: Procter & Gamble Company v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) <sup>(1)</sup>

*(Appeal — Community trade mark — Article 7(1)(b) of Regulation (EC) No 40/94 — Three-dimensional tablets for washing machines or dishwashers — Absolute ground for refusal to register — Distinctive character)*

(2004/C 118/27)

*(Language of the case: English)*

*(Provisional translation; the definitive translation will be published in the European Court Reports)*

In Joined Cases C-468/01 P to C-472/01 P: five appeals by Procter & Gamble Company, established in Cincinnati (United States) (Lawyers: C. van Nispen and G. Kuipers) v against the judgments of the Court of First Instance of the European Communities (Second Chamber) of 19 September 2001 in Case T-117/00 Procter & Gamble v OHIM (Square tablet, white and pale green) [2001] ECR II-2723, Case T-118/00 Procter & Gamble v OHIM (Square tablet, white with green speckles and pale green) [2001] ECR II-2731, Case T-119/00 Procter & Gamble v OHIM (Square tablet, white with yellow and blue speckles) [2001] ECR II-2761, Case T-120/00 Procter & Gamble v OHIM (Square tablet, white with blue speckles) [2001] ECR II-2769, and Case T-121/00 Procter & Gamble v OHIM (Square tablet, white with green and blue speckles) [2001] ECR II-2777, seeking to have those judgments set aside, the other party to the proceedings being: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agents: D. Schennen and C. Røhl Søbørg) - the Court (Sixth Chamber), composed of: V. Skouris, acting as the President of the Sixth Chamber, J.N. Cunha Rodrigues, J.-P. Puissochet, R. Schintgen and F. Macken (Rapporteur), Judges; D. Ruiz-Jarabo Colomer, Advocate General; M. Múgica Arzamendi, Principal Administrator, for the Registrar, has given a judgment on 29 April 2004, in which it:

1. Dismisses the appeals;
2. Orders Procter & Gamble Company to pay the costs

<sup>(1)</sup> OJ C 68 of 16.3.2002