



Reports of Cases

Judgment of the General Court (Eighth Chamber) of 15 November 2012 – Verband Deutscher Prädikatsweingüter v OHIM (GG)

(Case T-278/09)

(Community trade mark — Application for the Community collective word mark GG — Absolute ground for refusal — Descriptive character — Lack of distinctive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009 — Obligation to state reasons — Article 75 of Regulation No 207/2009)

1. *Community trade mark — Procedural provisions — Statement of reasons for decisions — Article 75, first sentence, of Regulation No 207/2009 — Scope identical to that of Article 253 EC (Art. 253 EC; Council Regulation No 207/2009, Art. 75, first sentence) (see para. 18)*
2. *Community trade mark — Definition and acquisition of the Community trade mark — Absolute grounds for refusal — Marks composed exclusively of signs or indications which may serve to designate the characteristics of goods — Concept (Council Regulation No 207/2009, Art. 7(1)(c)) (see paras 35, 36)*
3. *Community trade mark — Definition and acquisition of the Community trade mark — Absolute grounds for refusal — Marks composed exclusively of signs or indications which may serve to designate the characteristics of goods — Word mark GG (Council Regulation No 207/2009, Art. 7(1)(c) (see paras 40-59)*

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 30 April 2009 (Case R 1568/2008-1), concerning an application for registration of the word sign GG as a Community trade mark.

Operative part

The Court:

1. Dismisses the action;
2. Orders Verband Deutscher Prädikatsweingüter eV to pay the costs.