



Reports of Cases

Judgment of the General Court (Fifth Chamber) of 10 April 2013 — Fercal v OHIM — Parfums Rochas (PATRIZIA ROCHA)

(Case T-360/11)

(Community trade mark — Opposition proceedings — Application for the Community word mark PATRIZIA ROCHA — Earlier national word mark ROCHAS — Refusal to register by the Opposition Division — Inadmissibility of the action brought before the Board of Appeal — Article 60 of Regulation (EC) No 207/2009)

Community trade mark — Appeals procedure — Form of appeal and period within which it must be brought — Pleading setting out the grounds lodged within the period prescribed — Condition of admissibility (Council Regulation No 207/2009, Art. 60; Commission Regulation No 2868/95, Art. 1, Rule 49(1)) (see paras 24-29)

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 8 April 2011 (Case R 2355/2010-2), relating to opposition proceedings between Parfums Rochas SAS and Fercal — Consultadoria e Serviços, Lda.

Operative part

The Court:

1. Dismisses the action;
2. Orders Fercal — Consultadoria e Serviços, Lda to pay the costs.