

Operative part of the judgment

The Court:

1. Annuls the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 17 September 2013 (Case R 1501/2012-2) as regards the goods in Class 25 of the Nice Agreement concerning the International Classification of Goods and Services for the purposes of the Registration of Marks of 15 June 1957, as revised and amended, and the '[r]etailing of women's underwear and lingerie, perfumes, toilet water and cosmetic lotions, household and bath linen' services in Class 35 of that agreement covered by the mark applied for;
2. Dismisses the action as to the remainder;
3. Orders each party to bear its own costs.

⁽¹⁾ OJ C 45, 15.2.2014.

Judgment of the General Court of 2 October 2015 — The Tea Board v OHIM — Delta Lingerie (Darjeeling)

(Case T-627/13) ⁽¹⁾

(Community trade mark — Opposition proceedings — Figurative mark Darjeeling — Earlier Community collective word and figurative marks DARJEELING — Relative grounds for refusal — Article 8(1)(b) and (5) of Regulation (EC) No 207/2009)

(2015/C 389/42)

Language of the case: English

Parties

Applicant: The Tea Board (Calcutta, India) (represented by: A. Nordemann and M. Maier, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: S. Palmero Cabezas, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Delta Lingerie (Cachan, France) (represented by: G. Marchais and P. Martini-Berthon, lawyers)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 11 September 2013 (Case R 1387/2012-2) concerning opposition proceedings between The Tea Board and Delta Lingerie.

Operative part of the judgment

The Court:

1. *Annuls the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 11 September 2013 (Case R 1387/2012-2) as regards the goods in Class 25 of the Nice Agreement concerning the International Classification of Goods and Services for the purposes of the Registration of Marks of 15 June 1957, as revised and amended, and the '[r]etailing of women's underwear and lingerie, perfumes, toilet water and cosmetic lotions, household and bath linen' services in Class 35 of that agreement covered by the mark applied for;*
2. *Dismisses the action as to the remainder;*
3. *Orders each party to bear its own costs.*

⁽¹⁾ OJ C 45, 15.2.2014.

**Judgment of the General Court of 23 September 2015 — Reed Exhibitions v OHIM
(INFOSECURITY)**

(Case T-633/13) ⁽¹⁾

(Community trade mark — Application for Community word mark INFOSECURITY — Absolute ground for refusal — Descriptive character — No distinctive character — No distinctive character acquired through use — Article 7(1)(b) and (c) and Article 7(3) of Regulation (EC) No 207/2009 — Obligation to state reasons)

(2015/C 389/43)

Language of the case: English

Parties

Applicant: Reed Exhibitions Ltd (Richmond, United Kingdom) (represented by: S. Malynicz, Barrister)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Poch and S. Hanne, acting as Agents)

Re:

Action brought against the decision of the Fifth Board of Appeal of OHIM of 10 September 2013 (Case R 1544/2012-5) concerning an application for registration of the word sign INFOSECURITY as a Community trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Reed Exhibitions Ltd to pay the costs.*

⁽¹⁾ OJ C 52, 22.2.2014.