

**Judgment of the General Court of 25 April 2018 — Euro Castor Green v EUIPO — Netlon France (Concealed trellis)**

(Case T-756/16) <sup>(1)</sup>

**(Community design — Invalidity proceedings — Registered Community design representing a trellis — Earlier Community design — Ground for invalidity — Disclosure of earlier design — Lack of novelty — No individual character — Articles 5, 6 and Article 25(1)(b) of Regulation (EC) No 6/2002)**

(2018/C 200/45)

Language of the case: French

**Parties**

*Applicant:* Euro Castor Green (Bagnolet, France) (represented by: B. Lafont, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: A. Folliard-Monguiral, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Netlon France (Saint-Saulve, France) (represented by: C. Berto, lawyer)

**Re:**

Action brought against the decision of the Third Board of Appeal of EUIPO of 11 August 2016 (Case R 754/2014-3), relating to invalidity proceedings between Netlon France and Euro Castor Green.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Euro Castor Green to pay the costs.

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<sup>(1)</sup> OJ C 6, 9.1.2017.

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**Judgment of the General Court of 12 April 2018 — PY v EUCAP Sahel Niger**

(Case T-763/16) <sup>(1)</sup>

**(Arbitration clause — Staff of EU international missions — Disputes concerning employment contracts — Internal investigation procedures — Protection of victims in cases where a claim of harassment has been made — Contractual liability)**

(2018/C 200/46)

Language of the case: French

**Parties**

*Applicant:* PY (represented by: S. Rodrigues and A. Tymen, lawyers)

*Defendant:* EUCAP Sahel Niger (Niamey, Niger) (represented by: E. Raoult and M. Vicente Hernandez, lawyers)

**Re:**

Action based on Article 272 TFEU seeking an order requiring EUCAP Sahel Niger to pay compensation to the applicant for the harm allegedly suffered by the latter as a result of a breach of contract by EUCAP Sahel Niger.

**Operative part of the judgment**

The Court:

1. Orders EUCAP Sahel Niger to pay to PY the sum of EUR 10 000;
2. Dismisses the action as to the remainder;
3. Orders EUCAP Sahel Niger to pay, in addition to its own costs, three quarters of the costs incurred by PY.

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<sup>(1)</sup> OJ C 6, 9.1.2017.

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**Judgment of the General Court of 24 April 2018 — Kabushiki Kaisha Zoom v EUIPO — Leedsworld (ZOOM)**

(Case T-831/16) <sup>(1)</sup>

**(EU trade mark — Opposition proceedings — Application for EU word mark ZOOM — Earlier EU figurative and word marks ZOOM — Relative ground for refusal — Likelihood of confusion — Similarity of goods — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001))**

(2018/C 200/47)

Language of the case: English

**Parties**

*Applicant:* Kabushiki Kaisha Zoom (Tokyo, Japan) (represented by: M. de Arpe Tejero, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: A. Folliard-Monguiral, K. Sidat Humphreys and D. Walicka, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO:* Leedsworld, Inc. (New Kensington, Pennsylvania, United States)

**Re:**

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 7 September 2016 (Case R 1235/2015-5) relating to opposition proceedings between Kabushiki Kaisha Zoom and Leedsworld.

**Operative part of the judgment**

The Court:

1. Annuls the decision of the Fifth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 7 September 2016 (Case R 1235/2015-5), relating to opposition proceedings between Kabushiki Kaisha Zoom and Leedsworld, Inc;
2. Dismisses the action as to the remainder;
3. Orders EUIPO to pay the costs.

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<sup>(1)</sup> OJ C 22, 23.1.2017.