

Judgment of the General Court of 18 October 2018 — Next design+produktion v EUIPO — Nanu-Nana Joachim Hoepf (nuuna)

(Case T-533/17) ⁽¹⁾

(European Union trade mark — Opposition proceedings — Application for EU figurative mark — Earlier EU word marks NANU and NANU-NANA — Relative ground for refusal — Assessment of the likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 [now Article 8(1)(b) of Regulation (EU) 2017/1001] — Complementarity of the goods — Principles of autonomy and independence of the EU trade mark — Principles of compliance with the law and sound administration — Legal certainty)

(2018/C 436/64)

Language of the case: German

Parties

Applicant: Next design+produktion GmbH (Frankfurt-on-Main, Germany) (represented by: M. Hirsch, lawyer)

Defendant: European Union Intellectual Property Office (represented by: S. Hanne and D. Walicka, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Nanu-Nana Joachim Hoepf GmbH & Co. KG (Bremen, Germany) (represented by: T. Boddien, lawyer)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 24 May 2017 (Case R 1448/2016-1), relating to opposition proceedings between Nanu-Nana Joachim Hoepf and Next design+produktion.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Next design+produktion GmbH to pay the costs.

⁽¹⁾ OJ C 330, 2.10.2017.

Judgment of the General Court of 16 October 2018 — VF International v EUIPO — Virmani (ANOKHI)

(Case T-548/17) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU figurative trade mark ANOKHI — Earlier EU figurative mark kipling — Earlier EU figurative mark representing the silhouette of a monkey — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009 (now Article 8(1)(b) of Regulation (EU) 2017/1001 EU) — Damage to reputation — Article 8(5) of Regulation (EC) No 207/2009 (now Article 8(5) of Regulation 2017/1001))

(2018/C 436/65)

Language of the case: English

Parties

Applicant: VF International Sagl (Stabio, Switzerland) (represented by: T. van Innis, lawyer)