

**Judgment of the General Court of 14 May 2019 — Moreira v EUIPO — Da Silva Santos Júnior (NEYMAR)**(Case T-795/17) <sup>(1)</sup>**(EU trade mark — Invalidity proceedings — EU word mark NEYMAR — Declaration of invalidity — Bad faith — Article 52(1)(b) of Regulation (EC) No 207/2009 (now Article 59(1)(b) of Regulation (EU) 2017/1001))**

(2019/C 230/40)

Language of the case: English

**Parties***Applicant:* Carlos Moreira (Guimarães, Portugal) (represented by: T. Soares Faria, lawyer)*Defendant:* European Union Intellectual Property Office (represented by: J. Crespo Carrillo and H. O'Neill, acting as Agents)*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Neymar Da Silva Santos Júnior (Barcelona, Spain) (represented by: initially T. de Haan, H. Abraham and P. Péters, subsequently by T. de Haan and P. Péters, lawyers)**Re:**

Action brought against the decision of the Second Board of Appeal of EUIPO of 6 September 2017 (Case R 80/2017-2), relating to invalidity proceedings between Mr Da Silva Santos Júnior and Mr Moreira.

**Operative part of the judgment**

The Court:

1. *Dismisses the action;*
2. *Orders Mr Carlos Moreira to pay the costs.*

---

<sup>(1)</sup> OJ C 63, 19.2.2018.

**Judgment of the General Court of 16 May 2019 — Nerantzaki v Commission**(Case T-813/17) <sup>(1)</sup>**(Civil service — Officials — Recruitment — Notice of competition — Open competition EPSO/AD/331/16 — Conditions for admission — Decision of the selection board not to admit the applicant to the next stage of the competition — Error of law)**

(2019/C 230/41)

Language of the case: English

**Parties***Applicant:* Eleni Nerantzaki (Brussels, Belgium) (represented initially by: N. Korogiannakis, and subsequently by L. Levi, lawyers)

*Defendant:* European Commission (represented initially by: P. Mihaylova and L. Radu Bouyon, and subsequently by L. Radu Bouyon, D. Milanowska and B. Mongin, acting as Agents)

**Re:**

Application under Article 270 TFEU for annulment of, first, the decision of the selection board of 15 May 2017 not to admit the applicant to the next stage of Open Competition EPSO/AD/331/16 and, second, the decision of the appointing authority of 14 September 2017 rejecting the applicant's complaint against the decision of the competition selection board not to admit the applicant to the next stage of that competition.

**Operative part of the judgment**

The Court:

1. *Annuls the decision of the selection board of 15 May 2017 not to admit Ms Eleni Nerantzaki to the next stage of Open Competition EPSO/AD/331/16;*
2. *Orders the European Commission to pay the costs.*

---

(<sup>1</sup>) OJ C 52, 12.2.2018.

---

**Judgment of the General Court of 23 May 2019 — Holzer y Cia v EUIPO — Annco (ANN TAYLOR and AT ANN TAYLOR)**

**(Joined Cases T-3/18 and T-4/18) (<sup>1</sup>)**

**(EU trade mark — Invalidity proceedings — EU word and figurative marks ANN TAYLOR and AT ANN TAYLOR — Absolute ground for invalidity — Article 59(1)(b) of Regulation (EU) 2017/1001 — Bad faith)**

(2019/C 230/42)

*Language of the case: English*

**Parties**

*Applicant:* Holzer y Cia, SA de CV (Mexico City, Mexico) (represented by: N. Fernández Fernández-Pacheco and A. Fernández Fernández-Pacheco, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: A. Lukošiuūtė and H. O'Neill, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Annco, Inc. (New York, New York, United States) (represented by: D. Rose, J. Warner, E. Preston, Solicitors, and P. Roberts, QC)

**Re:**

Two actions brought against two decisions of the Second Board of Appeal of EUIPO of 2 and of 8 November 2017 (Cases R 2370/2016-2 and R 2371/2016-2), relating to invalidity proceedings between Annco and Holzer y Cia.