

Judgment of the General Court of 20 November 2018 — St. Andrews Links v EUIPO (ST ANDREWS)**(Case T-791/17) ⁽¹⁾****(EU trade mark — Application for the EU word mark ST ANDREWS — Absolute ground for refusal — Descriptive character — Geographical origin — Article 7(1)(c) of Regulation (EC) No 207/2009 (now Article 7(1)(c) of Regulation (EU) 2017/1001))**

(2019/C 25/52)

*Language of the case: English***Parties***Applicant:* St. Andrews Links Ltd (St Andrews, United Kingdom) (represented by: B. Hattier, lawyer)*Defendant:* European Union Intellectual Property Office (represented by: K. Kompari, Agent)**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 2 October 2017 (Case R 93/2017-4), relating to an application for registration of the word sign ST ANDREWS as an EU trade mark.

Operative part of the judgment*The Court:*

1. *Dismisses the action;*
2. *Orders St. Andrews Links Ltd to pay the costs.*

⁽¹⁾ OJ C 42, 5.2.2018.

Judgment of the General Court of 15 November 2018 — DRH Licensing & Managing v EUIPO — Merck (Flexagil)**(Case T-831/17) ⁽¹⁾****(EU trade mark — Revocation proceedings — EU figurative mark Flexagil — Genuine use of the mark — Article 18(1), second subparagraph, (a) and Article 58(1)(a) of Regulation (EU) 2017/1001 — Form differing in elements which do not alter the distinctive character)**

(2019/C 25/53)

*Language of the case: German***Parties***Applicant:* DRH Licensing & Managing AG (Zurich, Switzerland) (represented by: S. Salomonowitz, lawyer)*Defendant:* European Union Intellectual Property Office (represented by: W. Schramek and M. Fischer, acting as Agents)*Other party to the proceedings before the Board of Appeal of EUIPO:* Merck KGaA (Darmstadt, Germany)**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 17 October 2017 (Case R 2043/2016-4), relating to revocation proceedings between DRH Licensing & Managing and Merck.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders DRH Licensing & Managing AG to pay the costs.

⁽¹⁾ OJ C 52, 12.2.2018.

Judgment of the General Court of 20 November 2018 — Asahi Intecc v EUIPO — Celesio (Celeson)

(Case T-36/18) ⁽¹⁾

(EU trade mark — Opposition proceedings — International registration designating the European Union — Word mark Celeson — Earlier international word mark CELESIO — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001)

(2019/C 25/54)

Language of the case: English

Parties

Applicant: Asahi Intecc Co., Ltd (Nagoya, Japan) (represented by: T. Schmidpeter, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO: Celesio AG (Stuttgart, Germany)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 20 November 2017 (Case R 1004/2017-4), relating to opposition proceedings between Celesio and Asahi Intecc.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Asahi Intecc Co., Ltd to bear the costs.

⁽¹⁾ OJ C 104, 19.3.2018.

Action brought on 26 October 2018 — Bonnafous v Commission

(Case T-646/18)

(2019/C 25/55)

Language of the case: French

Parties

Applicant: Laurence Bonnafous (Brussels, Belgium) (represented by: A. Blot and S. Rodrigues, lawyers)

Defendant: European Commission