

Judgment of the General Court of 27 June 2019 — Sandrone v EUIPO — J. Garcia Carrion (Luciano Sandrone)(Case T-268/18) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU word mark Luciano Sandrone — Earlier EU word mark DON LUCIANO — Genuine use of the earlier mark — Article 47(2) and (3) of Regulation (EU) 2017/1001 — Relative ground for refusal — Article 8(1)(b) of Regulation 2017/1001 — Application for an EU word mark consisting of a first name and of a surname — Earlier mark consisting of an honorific title and a first name — Neutrality of the conceptual comparison — No likelihood of confusion)

(2019/C 305/59)

Language of the case: English

Parties

Applicant: Luciano Sandrone (Barolo, Italy) (represented by: A. Borra, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO: J. García Carrión, SA (Jumilla, Spain)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 26 February 2018 (Case R 1207/2017-2), relating to opposition proceedings between J. García Carrión and Luciano Sandrone.

Operative part of the judgment

The Court:

1. *Annuls the decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 26 February 2018 (Case R 1207/2017-2);*
2. *Orders EUIPO to bear its own costs and to pay those incurred by Mr Luciano Sandrone.*

⁽¹⁾ OJ C 231, 2.7.2018.

Judgment of the General Court of 27 June 2019 — Aldi v EUIPO — Crone (CRONE)(Case T-385/18) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU figurative mark CRONE — Earlier EU figurative marks crane and earlier word mark CRANE — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001)

(2019/C 305/60)

Language of the case: German

Parties

Applicant: Aldi GmbH & Co. KG (Mülheim an der Ruhr, Germany) (represented by: N. Lützenrath, U. Rademacher, C. Fürsen and M. Minkner, lawyers)

Defendant: European Union Intellectual Property Office (represented by: A. Crawcour and D. Hanf, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Christoph Michael Crone (Krefeld, Germany) (represented by: M. van Maele and H.-Y. Cho, lawyers)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 14 March 2018 (Case R 1100/2017-1), relating to opposition proceedings between Aldi and Mr Crone.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Aldi GmbH & Co. KG to pay the costs.*

⁽¹⁾ OJ C 285, 13.8.2018.

Judgment of the General Court of 20 June 2019 — Nonnemacher v EUIPO — Ingram (WКУ)

(Case T-389/18) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU word mark WKU — Earlier EU word marks WKA — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) and Article 60(1)(a) of Regulation (EU) 2017/1001 — No limitation in consequence of acquiescence — Article 61(1) of Regulation 2017/1001)

(2019/C 305/61)

Language of the case: German

Parties

Applicant: Klaus Nonnemacher (Karlsruhe, Germany) (represented by: C. Zierhut, lawyer)

Defendant: European Union Intellectual Property Office (represented by: D. Walicka, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Paul Ingram (Birmingham, United Kingdom) (represented by: A. Haberl, lawyer)

Re:

Action brought against the decision of the First Board of Appeal of EUIPO of 17 April 2018 (Case R 399/2017-1), relating to invalidity proceedings between Mr Ingram and Mr Nonnemacher.