

— order EUIPO to pay the costs.

Plea in law

— Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 16 November 2018 — "Korporaciya 'Masternet' v EUIPO — Stayer Ibérica (STAYER)

(Case T-681/18)

(2019/C 25/71)

Language of the case: English

Parties

Applicant: ZAO "Korporaciya 'Masternet' (Moscow, Russia) (represented by: N. Bürglen, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Stayer Ibérica, SA (Pinto, Spain)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: European Union figurative mark STAYER — European Union trade mark No 4 675 881

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 7 September 2018 in Case R 1940/2017-5

Form of order sought

The applicant claims that the Court should:

— annul the contested decision;

— order EUIPO to pay the costs.

Plea in law

— Infringement of Article 18 Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 16 November 2018 — Twitter v EUIPO — Hachette Filipacchi Presse (PERISCOPE)

(Case T-682/18)

(2019/C 25/72)

Language of the case: English

Parties

Applicant: Twitter, Inc. (San Francisco, California, United States) (represented by: I. Fowler, Solicitor and J. Schmitt, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Hachette Filipacchi Presse SA (Levallois Perret, France)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant before the General Court

Trade mark at issue: Application for European Union word mark PERISCOPE — Application for registration No 13 837 794

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 3 September 2018 in Case R 2315/2016-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision in so far as it held that (a) the earlier French mark no. 3 366 460 had been genuinely used for 'software and computer programs' in class 9, and (b) that there is a likelihood of confusion between the marks at issue for goods and services in classes 9, 41, 42 and 45;
- order that the costs of the proceedings be borne by the defendant and the other party before the Board of Appeal if it joins the proceedings as intervener.

Pleas in law

- Infringement of Article 42(2) and (3) of the Council Regulation (EC) 207/2009;
- Infringement of Article 8(1)(b) of the Council Regulation (EC) 207/2009.

Action brought on 20 November 2018 — Conte v EUIPO (CANNABIS STORE AMSTERDAM)
(Case T-683/18)

(2019/C 25/73)

Language of the case: Italian

Parties

Applicant: Santa Conte (Naples, Italy) (represented by: D. Demichelis, E. Ortaglio and G. Iorio Fiorelli, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: Application for EU figurative mark CANNABIS STORE AMSTERDAM in the colours black, olive green, light green and white — Application for registration No 16 176 968

Contested decision: Decision of the Second Board of Appeal of EUIPO of 13 August 2018 in Case R 2181/2017-2