

Action brought on 14 August 2019 – Perfect Bar v EUIPO (PERFECT Bar)**(Case T-563/19)**

(2019/C 337/19)

*Language of the case: English***Parties**

Applicant: Perfect Bar LLC (San Diego, California, United States) (represented by: F. Miazetto, J. Gracia Albero, R. Seoane Lacayo and E. Cebollero González, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: Application for European Union figurative mark PERFECT Bar – Application for registration No 15 376 064

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 6 June 2019 in Case R 372/2019-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order the defendant to pay the costs derived from the procedure before the General Court and EUIPO.

Pleas in law

- Infringement of Article 94(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council and of Article 296 of the Treaty on the Functioning of the European Union;
- Infringement of Article 72(6) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 14 August 2019 – Lozano Arana and Others v EUIPO – Coltejer (LIBERTADOR)**(Case T-564/19)**

(2019/C 337/20)

*Language of the case: English***Parties**

Applicants: Antonio Lozano Arana (Cali, Colombia), Daniel Simon Benmaor (Marseille, France), Marion Esther Benmaor (Marseille), Valérie Brigitte Danielle Servant (Marrakech, Morocco) (represented by: M. Angelier, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Coltejer SA (Itagiú, Antioquia, Colombia)

Details of the proceedings before EUIPO

Proprietors of the trade mark at issue: Applicants before the General Court

Trade mark at issue: European Union word mark LIBERTADOR – European Union trade mark No 9 067 414

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 20 June 2019 in Case R 2482/2018-4

Form of order sought

The applicants claim that the Court should:

- annul the contested decision.

Pleas in law

- Infringement of essential procedural requirements (right of defense, right to access to a judge);
- Infringement of Article 58(1)(a) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 16 August 2019 – Tinnus Enterprises v EUIPO – Mystic Products Import & Export and Koopman International (Fluid distribution equipment)

(Case T-574/19)

(2019/C 337/21)

Language of the case: English

Parties

Applicant: Tinnus Enterprises LLC (Plano, Texas, United States) (represented by: A. Odle, lawyer and J. St Ville, Barrister)

Defendant: European Union Intellectual Property Office (EUIPO)

Other parties to the proceedings before the Board of Appeal: Mystic Products Import & Export, SL (Badalona, Spain), Koopman International BV (Amsterdam, Netherlands)

Details of the proceedings before EUIPO

Proprietor of the design at issue: Applicant before the General Court

Design at issue: Community design No 1431 829-0001