



C/2024/5847

7.10.2024

Action brought on 23 August 2024 – ECE Group v EUIPO – ECE Logistics (ECE LOGISTICS)

(Case T-443/24)

(C/2024/5847)

Language in which the application was lodged: German

Parties

Applicant: ECE Group GmbH & Co. KG (Hamburg, Germany) (represented by: M. Kloth, M. Tillwich, P. Funke and R. Briske, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: ECE Logistics sp. z o.o. sp.k. (Zielona Góra, Poland)

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: EU figurative mark ECE LOGISTICS – EU trade mark No 13 698 865

Proceedings before EUIPO: Cancellation proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 25 June 2024 in Case R 1948/2023-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision and amend it to the effect that the application for cancellation is granted in its entirety and trade mark No 13 698 865 is cancelled in its entirety;
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 94(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.