



C/2024/3333

3.6.2024

**Judgment of the General Court of 10 April 2024 – Mushie & Co v EUIPO – Diana Dolls Fashions  
(Mushie)**

**(Case T-262/23) <sup>(1)</sup>**

***(EU trade mark – Opposition proceedings – Application for the EU word mark Mushie – Earlier EU word mark KUSHIES – Relative ground for refusal – Likelihood of confusion – Article 8(1)(b) of Regulation (EU) 2017/1001 – Professional representation – Article 120(1) of Regulation 2017/1001)***

(C/2024/3333)

*Language of the case: English*

**Parties**

*Applicant:* Mushie & Co, LLC (Houston, Texas, United States) (represented by: S. Vasegård Andreasen, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: D. Hanf, E. Markakis and K. Zajfert, acting as Agents)

*Other party to the proceedings before the Board of Appeal of EUIPO:* Diana Dolls Fashions Inc. (Stoney Creek, Canada)

**Re:**

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 17 March 2023 (Case R 2062/2022-4).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders each party to bear its own costs.

---

<sup>(1)</sup> OJ C 252, 17.7.2023.