



C/2024/6091

21.10.2024

**Judgment of the General Court of 4 September 2024 – Dekoback v EUIPO – DecoPac (DECOPAC)**

(Case T-166/23) <sup>(1)</sup>

**(EU trade mark – Invalidation proceedings – EU word mark DECOPAC – Absolute ground for invalidity – No bad faith – Article 51(1)(b) of Regulation (EC) No 40/94 (now Article 59(1)(b) of Regulation (EU) 2017/1001))**

(C/2024/6091)

Language of the case: English

**Parties**

*Applicant:* Dekoback GmbH (Helmstadt-Bargen, Germany) (represented by: V. von Moers, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: V. Ruzek, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* DecoPac, Inc. (Anoka, Minnesota, United States) (represented by: J. Zecher, lawyer)

**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 30 January 2023 (Case R 754/2022-4).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Dekoback GmbH to pay the costs.

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<sup>(1)</sup> OJ C 173, 15.5.2023.