



Reports of Cases

Judgment of the General Court (First Chamber) of 1 February 2012 — mtronix v OHIM — Growth Finance (mtronix)

(Case T-353/09)

(Community trade mark — Opposition proceedings — Application for Community word mark mtronix — Earlier Community word mark Montronix — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Likelihood of confusion with the earlier mark (Council Regulation No 207/2009, Art. 8(1)(b)) (see paras 28, 49-52)

Re:

ACTION brought against the decision of the Fourth Board of Appeal of OHIM of 23 June 2009 (Case R 1557/2007-4) concerning opposition proceedings between Growth Finance AG and mtronix OHG.

Operative part

The Court:

1. Dismisses the action;
2. Orders mtronix OHG to pay the costs.