

Judgment of the General Court of 28 October 2016 — Unicorn v EUIPO — Mercilink Equipment Leasing (UNICORN)

(Case T-124/15) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the EU figurative mark UNICORN — Earlier national word and figurative marks UNICORN and earlier national figurative mark representing a unicorn's head — Relative ground for refusal — Reputation — Article 8(5) of Regulation (EC) No 207/2009)

(2016/C 462/18)

Language of the case: English

Parties

Applicant: Unicorn a.s. (Prague, Czech Republic) (represented by: L. Lorenc, lawyer)

Defendant: European Union Intellectual Property Office (represented by: M. Rajh, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO: Mercilink Equipment Leasing Ltd (Limassol, Cyprus)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 13 January 2015 (Case R 149/2014-5), concerning opposition proceedings between Unicorn and Mercilink Equipment Leasing.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Unicorn a.s. to pay the costs.

⁽¹⁾ OJ C 171, 26.5.2015.

Judgment of the General Court of 28 October 2016 — Unicorn v EUIPO — Mercilink Equipment Leasing (UNICORN)

(Case T-125/15) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the EU figurative mark UNICORN — Earlier national word and figurative marks UNICORN and earlier national figurative mark representing a unicorn's head — Relative ground for refusal — Reputation — Article 8(5) of Regulation (EC) No 207/2009)

(2016/C 462/19)

Language of the case: English

Parties

Applicant: Unicorn a.s. (Prague, Czech Republic) (represented by: L. Lorenc, lawyer)

Defendant: European Union Intellectual Property Office (represented by: M. Rajh, acting as Agent)

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