

Form of order sought

The applicant claims that the Court should:

- annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 2 June 2014 in Case R 303/2014-4;
- order the Office for Harmonisation in the Internal Market (Trade Marks and Designs) to pay the costs.

Pleas in law and main arguments

Community trade mark concerned: the word mark 'engineering for a better world' for goods and services in Classes 6, 7, 9, 11, 35, 37, 39, 41 and 42 — application for registration of a Community trade mark No 12 034 807

Decision of the Examiner: Rejection of the application for registration

Decision of the Board of Appeal: Dismissal of the appeal

Plea in law: Infringement of Article 7(1)(b) of Regulation No 207/2009

Action brought on 25 July 2014 — Messi Cuccittini v OHIM — J.M.-E.V. e hijos (MESSI)

(Case T-554/14)

(2014/C 339/29)

Language in which the application was lodged: Spanish

Parties

Applicant: Lionel Andrés Messi Cuccittini (Barcelona, Spain) (represented by: J. L. Rivas Zurdo and M. Toro Gordillo, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: J.M.-E.V. e hijos, SRL (Granollers, Spain)

Form of order sought

The applicant claims that the General Court should:

- annul the decision of the First Board of Appeal of OHIM of 23 April 2014 in Case R 1553/2013-1, in which it dismissed the applicant's appeal and affirmed the decision of the Opposition Division upholding Opposition No B 1 938 458 and rejecting in part Community trade mark application No 10 181 154 'MESSI' (figurative);
- order the party or parties opposing the action to pay the costs.

Pleas in law and main arguments

Applicant for a Community trade mark: The applicant

Community trade mark concerned: Figurative mark including the word element 'MESSI' for goods in classes 3, 9, 14, 16, 25 and 28 — Community trade mark application No 10 181 154

Proprietor of the mark or sign cited in the opposition proceedings: the other party to the proceedings before the Board of Appeal

Mark or sign cited in opposition: Community word marks 'MASSI' for goods in classes 9, 25 and 28

Decision of the Opposition Division: Upheld the opposition

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law: Infringement of Article 8(1)(b) of Regulation No 207/2009

Action brought on 28 July 2014 — BrandGroup v OHIM — Brauerei S. Riegele, Inh. Riegele (SPEZOOMIX)

(Case T-557/14)

(2014/C 339/30)

Language in which the application was lodged: German

Parties

Applicant: BrandGroup GmbH (Bechtsrieth, Germany) (represented by: T. Raible, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: Brauerei S. Riegele, Inh. Riegele KG (Augsburg, Germany)

Form of order sought

The applicant claims that the Court should:

- annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 15 May 2014 in Case R 941/2013-1;
- order the Office for Harmonisation in the Internal Market (Trade Marks and Designs) and the Brauerei S. Riegele, Inh. Riegele KG to pay the costs.

Pleas in law and main arguments

Applicant for a Community trade mark: BrandGroup GmbH

Community trade mark concerned: The word mark 'SPEZOOMIX' for goods in Classes 32 and 33 — Community trade mark application No 9 913 617

Proprietor of the mark or sign cited in the opposition proceedings: Brauerei S. Riegele, Inh. Riegele KG

Mark or sign cited in opposition: International and Community word marks 'Spezi', international and Community figurative marks containing the word 'Spezi', and the national word mark 'Ein Spezi muß dabei sein' for goods in Class 32

Decision of the Opposition Division: Rejection of the opposition

Decision of the Board of Appeal: Annulment of the decision of the Opposition Division and rejection in its entirety of the mark applied for

Plea in law: Infringement of Article 8(1)(b) and Article 78(5) of Regulation No 207/2009
