

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: EU figurative mark (Representation of a parallelogram composed of 2 fields in different colours) — Application for registration No 14 326 508

Contested decision: Decision of the First Board of Appeal of EUIPO of 26 January 2017 in Case R 2582/2015-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 7(1)(b) of Regulation No 207/2009;
- Infringement of Article 7(3) of Regulation No 207/2009.

Action brought on 18 May 2017 — adidas v EUIPO — Shoe Branding Europe (Representation of three parallel stripes)

(Case T-307/17)

(2017/C 231/61)

Language in which the application was lodged: English

Parties

Applicant: adidas AG (Herzogenaurach, Germany) (represented by: I. Fowler and I. Junkar, Solicitors)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Shoe Branding Europe BVBA (Oudenaarde, Belgium)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: EU figurative mark (Representation of three parallel stripes) — EU trade mark No 12 442 166

Procedure before EUIPO: Proceedings for a declaration of invalidity

Contested decision: Decision of the Second Board of Appeal of EUIPO of 7 March 2017 in Case R 1515/2016-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the other party to the proceedings before the Board of Appeal, if it joins as intervener, to pay the costs.

Plea in law

- Infringement of Article 52(2) read in conjunction with Article 7(3) of Regulation No 207/2009.
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