

Judgment of the General Court of 9 February 2017 — Mast-Jägermeister v EUIPO (Beakers)(Case T-16/16) ⁽¹⁾

(Community design — Application for Community designs representing beakers — ‘Representation suitable for reproduction’ — Lack of precision of the representation with regard to the scope of the protection sought — Refusal to remedy the deficiencies — Refusal to attribute a date of filing — Articles 36 and 46 of Regulation (EC) No 6/2002 — Articles 4(1)(e) and 10(1) and (2) of Regulation (EC) No 2245/2002)

(2017/C 086/34)

Language of the case: German

Parties

Applicant: Mast-Jägermeister SE (Wolfenbüttel, Germany) (represented by: H.-P. Schrammek, C. Drzymalla, S. Risthaus and J. Engberding, lawyers)

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

Re:

Action brought against the decision of the Third Board of Appeal of EUIPO of 17 November 2015 (Case R 1842/2015 3), concerning applications for the registration of beakers as Community designs.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mast-Jägermeister SE to pay the costs.

⁽¹⁾ OJ C 90, 7.3.2016.

Judgment of the General Court of 9 February 2017 — International Gaming Projects v EUIPO — adp Gauselmann (TRIPLE EVOLUTION)(Case T-82/16) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the figurative EU trade mark TRIPLE EVOLUTION — Earlier EU word mark Evolution — Relative ground of refusal — Likelihood of confusion — Similarity of the signs — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2017/C 086/35)

Language of the case: English

Parties

Applicant: International Gaming Projects Ltd (Qormi, Malta) (represented initially by M. Garayalde Niño and A. Alpera Plazas, and subsequently by M. Garayalde Niño, lawyers)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: adp Gauselmann GmbH (Espelkamp, Germany) (represented by: P. Koch Moreno, lawyer)