

Order of the General Court of 22 May 2019 — Puma v EUIPO — CMS (CMS Italy)**(Case T-161/16) ⁽¹⁾**

(EU trade mark — Opposition proceedings — International registration designating the European Union — Figurative mark CMS Italy — Earlier international figurative marks representing a feline bounding to the left — Relative grounds for refusal — Reputation of the earlier marks — Article 8(5) of Regulation (EC) No 207/2009 (now Article 8(5) of Regulation (EU) 2017/1001) — Evidence of reputation — Previous decisions of EUIPO recognising the reputation of the earlier marks — Taking account of those decisions — Obligation to state reasons — Principle of sound administration)

(2019/C 246/21)

*Language of the case: English***Parties**

Applicant: Puma SE (Herzogenaurach, Germany) (represented by: P. González-Bueno Catalán de Ocón, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO: Costruzione Macchine Speciali Srl (CMS) (Alonte, Italy)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 29 January 2016 (Case R 229/2015-2), relating to opposition proceedings between Puma and Costruzione Macchine Speciali (CMS).

Operative part of the order

1. The decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 29 January 2016 (Case R 229/2015-2) is annulled.
2. EUIPO shall pay the costs, including those incurred by Puma SE.

⁽¹⁾ OJ C 222, 20.6.2016.