

- in case the participants will join the proceedings as interveners, to order the participants to pay the costs incurred by the plaintiff both in the appeal proceedings before the EUIPO and in the proceedings before the General Court.

#### **Pleas in law**

- Infringement of Article 8(1)(b) of Regulation No 207/2009;
- Infringement of Article 8(5) of Regulation No 207/2009.

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### **Action brought on 15 April 2016 — Metronia v EUIPO — Zitro IP (TRIPLE O NADA)**

**(Case T-159/16)**

(2016/C 211/75)

*Language in which the application was lodged: Spanish*

#### **Parties**

*Applicant:* Metronia, SA (Madrid, Spain) (represented by: A. Vela Ballesteros, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Zitro IP Sàrl (Luxembourg, Luxembourg)

#### **Details of the proceedings before EUIPO**

*Applicant:* Applicant

*Trade mark at issue:* EU figurative mark containing the word elements ‘TRIPLE O NADA’ — Application for registration No 11 603 529

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 15 February 2016 in Case R 2605/2014-4

#### **Form of order sought**

The applicant claims that the Court should:

- uphold the action brought against the decision of the Board of Appeal of 15 February 2016 and allow the EU trade mark applied for;
- order the defendant to pay the costs.

#### **Plea in law**

- Infringement of Article 8(1)(b) and Article 8(5) of Regulation No 207/2009.

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### **Action brought on 15 April 2016 — Centro Clinico e Diagnostico G.B. Morgagni v Commission**

**(Case T-172/16)**

(2016/C 211/76)

*Language of the case: Italian*

#### **Parties**

*Applicant:* Centro Clinico e Diagnostico G.B. Morgagni SRL (Catania, Italy) (represented by: E. Castorina, lawyer)