

Trade mark at issue: EU word mark ‘SeboCalm’ — EU trade mark application No 12 014 461

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 19 May 2016 in Case R 852/2015-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the other party before EUIPO to bear the costs.

Plea in law

- Infringement of Article 8(1)(b) in conjunction with Articles 7(2), 75 and 76(1) of Regulation No 207/2009.

Action brought on 5 August 2016 — Schniga v CPVO (Gala Schnico)

(Case T-445/16)

(2016/C 364/25)

Language of the case: German

Parties

Applicant: Schniga GmbH (Bolzano, Italy) (represented by: G. Würtenberger and R. Kunze)

Defendant: Community Plant Variety Office (CPVO)

Details of the proceedings before EUIPO

Community plant variety right at issue: Gala Schnico — Community plant variety right application No 2009/1807

Contested decision: Decision of the Board of Appeal of CPVO of 22 April 2016 in Case A005/2014.

Form of order sought

The applicant claims that the Court should:

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

Plea in law

- Infringement of Articles 76, 8, 57(3) and 75 of Regulation No 2100/94.
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