

Action brought on 14 May 2020 — Ceramica Flaminia v EUIPO — Ceramica Cielo (goclean)**(Case T-290/20)**

(2020/C 222/44)

*Language in which the application was lodged: Italian***Parties***Applicant:* Ceramica Flaminia SpA (Civita Castellana, Italy) (represented by: A. Improda and R. Arista, lawyers)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* Ceramica Cielo SpA (Fabrica di Roma, Italy)**Details of the proceedings before EUIPO***Proprietor of the trade mark at issue:* Applicant before the General Court*Trade mark at issue:* European Union figurative mark goclean — European Union trade mark No 13 270 046*Procedure before EUIPO:* Proceedings for a declaration of invalidity*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 16 March 2020 in Case R 991/2018-2**Form of order sought**

The applicant claims that the Court should:

— annul and alter the contested decision;

and, accordingly,

- recognise the validity of European Union trade mark No 13 270 046 with regard to all or some of the goods in Class 11;
- order EUIPO and/or Ceramica Cielo SpA. to pay the costs of the present proceedings and of the previous two stages before the Cancellation Division and before the Board of Appeal incurred by Ceramica Flaminia SpA.

Pleas in law

- Infringement and misapplication of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Interpretation of distinctive character within the meaning of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Unfounded classification of the mark as a slogan;
- Infringement and misapplication of Article 95(1) in relation to Article 59 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement and misapplication of Article 7(3) and Article 59(1) and (2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.