

Judgment of the General Court of 27 February 2020 — Bog-Fran v EUIPO — Fabryki Mebli ‘Forte’ (Furniture)

(Case T-159/19) ⁽¹⁾

(Community design — Invalidity proceedings — Registered Community design representing an item of furniture — Ground for invalidity — No individual character — Disclosure of the earlier design — Proof of disclosure — Article 7 and Article 25(1)(b) of Regulation (EC) No 6/2002)

(2020/C 114/04)

Language of the case: English

Parties

Applicant: Bog-Fran sp. z o.o. sp.k. (Warsaw, Poland) (represented by: M. Mikosza, lawyer)

Defendant: European Union Intellectual Property Office (represented by: D. Gája and H. O'Neill, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Fabryki Mebli ‘Forte’ S.A. (Ostrów Mazowiecka, Poland) (represented by: H. Basiński, lawyer)

Re:

Action brought against the decision of the Third Board of Appeal of EUIPO of 14 January 2019 (Case R 291/2018-3), relating to invalidity proceedings between Bog-Fran and Fabryki Mebli ‘Forte’.

Operative part of the judgment

The Court:

1. Annuls the decision of the Third Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 14 January 2019 (Case R 291/2018-3), relating to invalidity proceedings between Bog-Fran sp. z o.o. sp.k. and Fabryki Mebli ‘Forte’ S.A.;
2. Dismisses the action as to the remainder;
3. Orders EUIPO to bear its own costs and to pay those incurred by Bog-Fran;
4. Orders Fabryki Mebli ‘Forte’ to bear its own costs.

⁽¹⁾ OJ C 155, 6.5.2019.

Judgment of the General Court of 27 February 2020 — Knaus Tabbert v EUIPO — Carado (CaraTour)

(Case T-202/19) ⁽¹⁾

(European Union trade mark — Opposition proceedings — Application for European Union word mark CaraTour — Earlier European Union word mark Carado — Relative ground for refusal — Article 8(1)(b) of Regulation (EU) 2017/1001)

(2020/C 114/05)

Language of the case: German

Parties

Applicant: Knaus Tabbert GmbH (Jandelsbrunn, Germany) (represented by: N. Maenz, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Carado GmbH (Leutkirch im Allgäu, Germany (represented by: A. Otto, lawyer)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 14 January 2019 (Case R 506/2018-5) relating to opposition proceedings between Carado and Knaus Tabbert.

Operative part of the judgment

The Court:

1. dismisses the application;
2. orders Knaus Tabbert GmbH to bear the costs.

⁽¹⁾ OJ C 182, 27. 5. 2019.

Judgment of the General Court of 27 February 2020 — Knaus Tabbert v EUIPO — Carado (CaraTwo)

(Case T-203/19) ⁽¹⁾

(European Union trade mark — Opposition proceedings — Application for European Union word mark CaraTwo — Earlier European Union word mark Carado — Relative ground for refusal — Article 8(1)(b) of Regulation (EU) 2017/1001)

(2020/C 114/06)

Language of the case: German

Parties

Applicant: Knaus Tabbert GmbH (Jandelsbrunn, Germany) (represented by: N. Maenz, lawyer)

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

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Carado GmbH (Leutkirch im Allgäu, Germany)

Re:

Action brought against the decision of the Fifth Board of Appeal of EUIPO of 14 January 2019 (Case R 851/2018-5), relating to opposition proceedings between Carado and Knaus Tabbert.

Operative part of the judgment

The Court:

1. dismisses the application;
2. orders Knaus Tabbert to bear the costs.

⁽¹⁾ OJ C 182, 27. 5. 2019.