

Trade mark at issue: Application for European Union figurative mark InterMed Pharmaceutical Laboratories eva intima — Application for registration No 18 127 266

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 1 March 2022 in Case R 1245/2021-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision so long as it is appealed on its part;
- order EUIPO and Arbora & Ausonia SLU, if it becomes intervener, to pay the costs of the applicant.

Plea in law

- Infringement of Article 8(1)(b) of Council Regulation (EC) No 207/2009.

Action brought on 13 April 2022 — Perfetti Van Melle v EUIPO (Representation of a cylindrical container with a wavy outline)

(Case T-199/22)

(2022/C 222/59)

Language of the case: Italian

Parties

Applicant: Perfetti Van Melle SpA (Lainate, Italy) (represented by: P. Testa and C. Pappalardo, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: Application for EU figurative mark (Representation of a cylindrical container with a wavy outline) — Application for registration No 18 355 641

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 10 February 2022 in Case R 1530/2021-5

Form of order sought

The applicant claims that the Court should:

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

Plea in law

- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.
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