

The EUIPO Boards of Appeal Decisions of the Trimester

Sven Stürmann
Chairperson 2nd Board of Appeal

Procedural issues

R 1849/2017-2, 03/08/2018 (interim decision)

MONOPOLY

Classes 9, 16, 28, 41.

R 2703/2017-2, 13/07/2018 (?) (EUTM v. EUTM)



Earlier trade mark

Class 32 (i.e. syrups)

SUPER SPORT

Contested sign

Class 32 (i.e. soft drinks)

Restrictions of International Registrations

R 475/2018-4, 08/08/2018, WOLFSKIN

R 1960/2017-1, 13/07/2018, **saxo**

R 1762/2017-1, 04/07/2018, DIP-IT

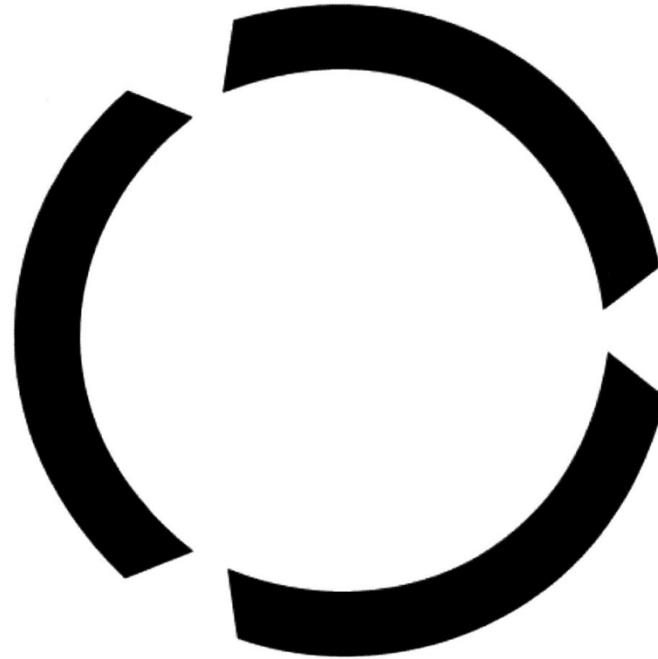
R 626/2017-2, 06/03/2018, AMIDAS

Absolute Grounds

Article 7(1)(b) EUTMR

Non-Distinctive Signs

R 53/2018-4, 27/06/2018 (?)



Classes 7, 9, 35, 37, 41, 42

R 250/2018-4, 04/07/2018 (?)



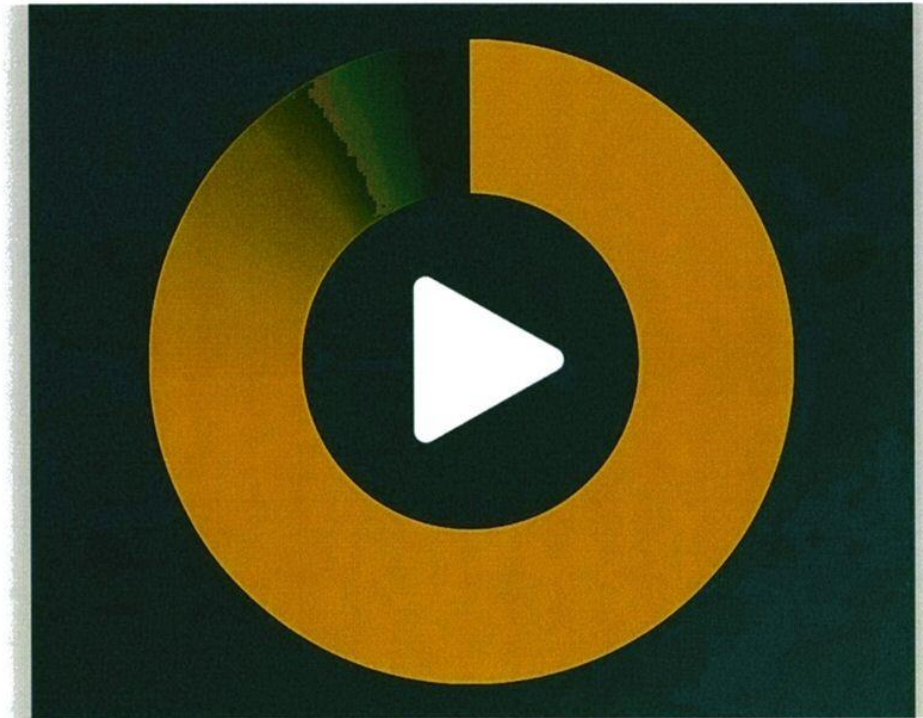
Class 9

R 442/2018-2, 08/08/2018 (?)



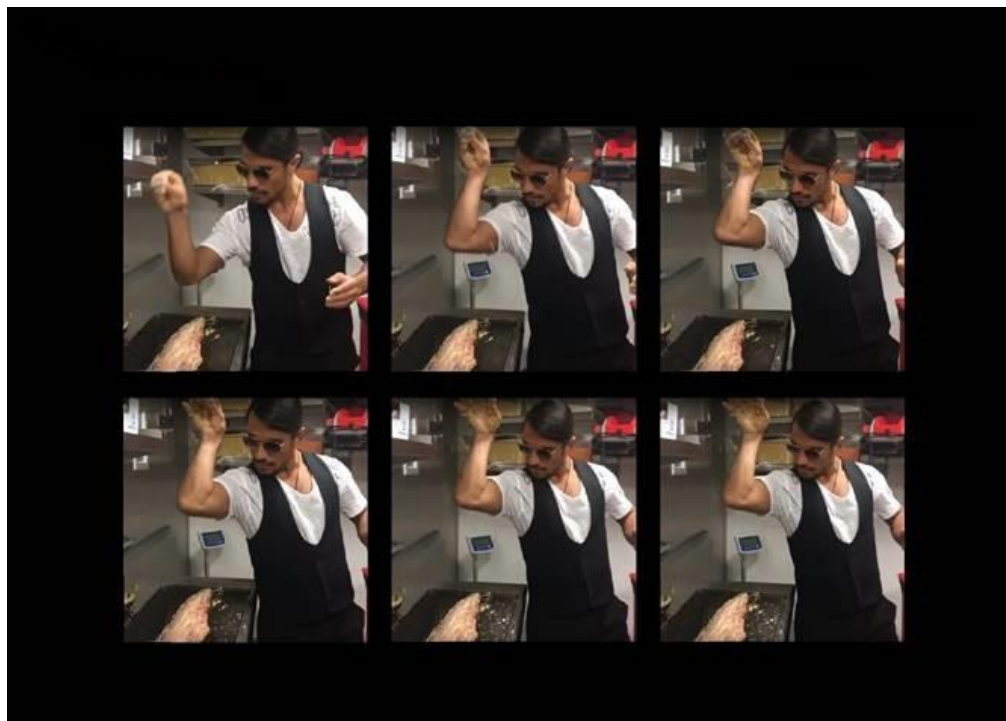
Classes 20, 24, 25, 35

R 334/2018-2, 25/07/2018 (?)



Classes 9, 16, 38, 41

R 2661/2017-5, 08/06/2018 (?)



Classes 25, 30, 43

Article 7(1)(c) EUTMR

Descriptive Signs

R 2410/2017-2, 18/06/2018 (?)

Staffbase

Classes 9, 35, 38, 42

Article 7(1)(m) EUTMR

Plant Variety Denominations

R 1929/2017-1, 12/07/2018 (?)

R 1929/2017-1, 12/07/2018

Kordes' Rose Monique

R 2541/2017-2, 18/07/2018

 **GroMax**[®]
by DLF

R 2542/2017-2, 18/07/2018

 **microclover**[®]
by DLF

Article 8(1)(b) EUTMR

Signs containing weak elements

Signs containing weak elements

R 2244/2017-1, 04/07/2018

QUALITY ESPRESSO[®]



Classes 7, 11, 21, 30

Classes 30, 40, 43

R 2121/2017-4, 26/06/2018

Jucee

Class 32



Class 32

R 2486/2017-4, 26/06/2018

Thahe
th
pharma

Classes 3, 5, 35

THEA PHARMA

Classes 3, 5, 35

Earlier trade mark

Contested sign

Signs containing weak elements

R 201/2018-5, 19/06/2018

Naturals

Class 20

NAVITAS NATURALS

Classes 5, 29, 35

R 264/2018-4, 12/06/2018

carnilove

Classes 31, 35

Meatlove

Classes 31, 35

R 842/2017-1, 31/05/2018

ARTE

Classes 1, 24, 27

ARTESIVE

Classes 16, 17, 19, 27

Earlier trade mark

Contested sign

Article 8(1)(b) EUTMR

Dissimilar signs

R 229/2018-4, 20/06/2018 (EUTM vs. EUTM)



Earlier trade mark

Classes 30, 32



Contested sign

Class 33

Article 8(5) EUTMR

Marks with reputation

R 2506/2017-2, 03/07/2018 (German TM vs. EUTM)



Earlier trade mark

Classes 3, 4, 5, 6, 8, 9, 11, 12,
14, 15, 16, 17, 18, 20, 21, 22,
24, 25, 26, 27, 28, 29, 30, 31,
32, 33, 34, 38, 39, 41, 42, 43
and 44



Contested sign

Classes 32, 33, 43

R 913/2017-1, 11/05/2018 (appealed) (French TM vs. EUTM)



Earlier trade mark

Class 30



Contested sign

Class 30

Proof of Use / Revocation

Use in a different Form

Use in a different Form

R 1673/2017-1, 21/06/2018



R 878/2017-1, 12/06/2018



R 1872/2017-1, 11/06/2018

SPASMIL

SPASMIL-M

TM as registered

TM as used

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