

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Bullock, acting as Agent)

Other parties to the proceedings before the Board of Appeal of OHIM: Sky plc, formerly British Sky Broadcasting Group plc (Isleworth, United Kingdom); and Sky IP International Ltd (Isleworth) (represented by: D. Rose and V. Baxter, Solicitors, and subsequently by D. Rose, R. Guthrie, Solicitors, T. Moody-Stuart, Barrister, and J. Curry, Solicitor)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 26 July 2012 (Case R 1561/2010-4) concerning opposition proceedings between, on the one hand, British Sky Broadcasting Group plc and Sky IP International Ltd and, on the other hand, Skype Ultd.

Operative part of the judgment

The Court:

- 1) *Dismisses the action;*
- 2) *Orders Skype Ultd to bear its own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM), Sky plc and Sky IP International Ltd.*

⁽¹⁾ OJ C 355, 17.11.2012.

Judgment of the General Court of 5 May 2015 — Skype v OHIM — Sky and Sky IP International (SKYPE)

(Case T-183/13) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark SKYPE — Earlier Community word mark SKY — Relative ground for refusal — Likelihood of confusion — Article 8 (1)(b) of Regulation (EC) No 207/2009)

(2015/C 205/36)

Language of the case: English

Parties

Applicant: Skype Ultd (Dublin, Ireland) (represented: initially by I. Fowler, Solicitor, J. Schmitt, lawyer, and J. Mellor QC, and subsequently by A. Carboni and M. Browne, Solicitors)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Bullock and N. Bambara, acting as Agents)

Other parties to the proceedings before the Board of Appeal of OHIM: Sky plc, formerly British Sky Broadcasting Group plc (Isleworth, United Kingdom); and Sky IP International Ltd (Isleworth) (represented by: R. Guthrie, D. Rose, V. Baxter, Solicitors, and T. Moody-Stuart, Barrister, and subsequently by R. Guthrie, D. Rose, Solicitors, T. Moody-Stuart, Barrister, and J. Curry, Solicitor)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 30 January 2013 (Case R 2398/2010-4) concerning opposition proceedings between, on the one side, British Sky Broadcasting Group plc and Sky IP International Ltd and, on the other, Skype Ultd.

Operative part of the judgment

The Court:

- 1) Dismisses the action;
- 2) Orders Skype Ultd to bear its own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM), Sky plc and Sky IP International Ltd.

⁽¹⁾ OJ C 171, 15.6.2013.

Judgment of the General Court of 5 May 2015 — Skype v OHIM — Sky and Sky IP International (SKYPE)

(Case T-184/13) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for Community word mark SKYPE — Earlier Community word mark SKY — Relative ground for refusal — Likelihood of confusion — Article 8 (1)(b) of Regulation (EC) No 207/2009)

(2015/C 205/37)

Language of the case: English

Parties

Applicant: Skype Ultd (Dublin, Ireland) (represented: initially by I. Fowler, Solicitor, J. Schmitt, lawyer, and J. Mellor QC, and subsequently by A. Carboni and M. Browne, Solicitors)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Bullock and N. Bambara, acting as Agents)

Other parties to the proceedings before the Board of Appeal of OHIM: Sky plc, formerly British Sky Broadcasting Group plc (Isleworth, United Kingdom); and Sky IP International Ltd (Isleworth) (represented by: R. Guthrie, D. Rose, V. Baxter, Solicitors, and T. Moody-Stuart, Barrister, subsequently by R. Guthrie, D. Rose, T. Moody-Stuart and J. Curry, Solicitor)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 30 January 2013 (Case R 121/2011-4) concerning opposition proceedings between, on the one hand, British Sky Broadcasting Group plc and Sky IP International Ltd and, on the other hand, Skype Ultd.

Operative part of the judgment

The Court:

- 1) Dismisses the action;
- 2) Orders Skype Ultd to bear its own costs and to pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM), Sky plc and Sky IP International Ltd.

⁽¹⁾ OJ C 171, 15.6.2013.