

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders iNET24 Holding AG to pay the costs.*

⁽¹⁾ OJ C 184, 16.6.2014.

Judgment of the General Court of 3 September 2015 — Warenhandelszentrum v OHIM — Baumarkt Max Bahr (NEW MAX)

(Case T-254/14) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for the figurative Community trade mark NEW MAX — Earlier figurative Community trade mark MAX — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2015/C 346/31)

Language of the case: German

Parties

Applicant: Warenhandelszentrum Ltd (Neu-Ulm, Germany) (represented by: F.-P. Hirschel, lawyer)

Defendant: Office for Harmonisation in the Internal Market (trade marks and designs) (represented by: initially by A. Pohlmann, and subsequently by S. Hanne, acting as Agents)

Other party to the proceedings before the Board of Appeal of OHIM: Baumarkt Max Bahr GmbH & Co. KG (Hamburg, Germany)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 29 January 2014 (Case R 2035/2012-1), concerning opposition proceedings between Baumarkt Max Bahr GmbH & Co. KG and Warenhandelszentrum Ltd.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Warenhandelszentrum Ltd to pay the costs.*

⁽¹⁾ OJ C 194, 24.6.2014.