

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law: Infringement of Article 7(1)(b) and (c) CTMR.

Action brought on 2 June 2014 — salesforce.com v OHIM (MARKETINGCLOUD)

(Case T-389/14)

(2014/C 329/25)

Language of the case: English

Parties

Applicant: salesforce.com, Inc. (San Francisco, United States) (represented by: A. Nordemann, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 6 March 2014 given in Case R 1854/2013-1;
- Order the defendant to pay the costs.

Pleas in law and main arguments

Community trade mark concerned: The word mark 'MARKETINGCLOUD' for services in Class 42 — Community trade mark application No 10 979 441

Decision of the Examiner: Found the trade mark not eligible for registration

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law: Infringement of Article 7(1)(b) and (c) CTMR.

Action brought on 18 June 2014 — Messi Cuccittini v OHIM — Pires Freitas Campos (LEO)

(Case T-459/14)

(2014/C 329/26)

Language in which the application was lodged: Spanish

Parties

Applicant: Lionel Andrés Messi Cuccittini (Barcelona, Spain) (represented by: J. Rivas Zurdo and M. Toro Gordillo, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: Maria Leonor Pires Freitas Campos (Setúbal, Portugal)

Form of order sought

The applicant claims that the General Court should:

- annul the Decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 27 March 2014 in Case R 1554/2013-1, in so far as by dismissing the applicant's appeal, it confirmed the decision of the Opposition Division upholding opposition B 2009291 and refusing, in its entirety, Community trade mark application No 10 613 511 'LEO';
- order the party or parties who oppose this action to pay the costs.