

Plea in law

— Infringement of Article 7(1)(b) of Regulation No 2017/1001.

Action brought on 19 February 2018 — Multifit Tiernahrungs v EUIPO (fit+fun)**(Case T-94/18)**

(2018/C 134/45)

*Language of the case: German***Parties**

Applicant: Multifit Tiernahrungs GmbH (Krefeld, Germany) (represented by: N. Weber and L. Thiel, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: Application for EU word mark fit+fun — Application No 15 996 432

Contested decision: Decision of the First Board of Appeal of EUIPO of 7 December 2017 in Case R 847/2017-1

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 2017/1001.

Action brought on 19 February 2018 — Cabell v EUIPO — Zorro Productions (ZORRO)**(Case T-96/18)**

(2018/C 134/46)

*Language in which the application was lodged: English***Parties**

Applicant: Robert W. Cabell (Renton, Washington, United States) (represented by: K. Bröcker, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Zorro Productions, Inc. (Berkeley, California, United States)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: EU word mark ZORRO — EU trade mark No 5 399 787

Procedure before EUIPO: Proceedings for a declaration of invalidity

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 19 December 2017 in Case R 1637/2015-4