

**Action brought on 4 October 2021 — Target Brands v EUIPO — The a.r.t. company b&s  
(ART CLASS)**

**(Case T-637/21)**

(2021/C 471/89)

*Language of the case: English*

**Parties**

*Applicant:* Target Brands, Inc. (Minneapolis, Minnesota, United States) (represented by: R. Kunze, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* The a.r.t. company b&s, SA (Quel, Spain)

**Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Applicant before the General Court

*Trade mark at issue:* Application for European Union word mark ART CLASS — Application for registration No 16 888 695

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 22 June 2021 in Case R 1597/2019-5

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order the defendant to pay the costs of the proceedings, including those incurred before the Board of Appeal as well as the Opposition Division.

**Plea in law**

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

---

**Action brought on 4 October 2021 — bet-at-home.com Entertainment v EUIPO (bet-at-home)**

**(Case T-640/21)**

(2021/C 471/90)

*Language of the case: German*

**Parties**

*Applicant:* bet-at-home.com Entertainment GmbH (Linz, Austria) (Prozessbevollmächtigter: represented by: R. Paulitsch, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

**Details of the proceedings before EUIPO**

*Trade mark at issue:* Application for the EU figurative mark bet-at-home in the colours dark blue and green — Application No 18 157 957

*Contested decision:* Decision of the First Board of Appeal of EUIPO of 5 August 2021 in Case R 2143/2020-1

**Forms of order sought**

The applicant claims that the Court should:

- amend the contested decision so that the figurative mark bet-at-home is accepted for registration also in Class 41 (Entertainment);
- order EUIPO to pay the costs of the proceedings, including the costs incurred in the appeal proceedings.

**Pleas in law**

- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

---

**Application brought on 4 October 2021 — dennree v EUIPO (BioMarkt)**

(Case T-641/21)

(2021/C 471/91)

*Language of the case: German*

**Parties**

*Applicant:* dennree GmbH (Töpen, Germany) (represented by: K. Röttgen, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

**Details of the proceedings before EUIPO**

*Trade mark at issue:* Application for the EU figurative mark BioMarkt in the colours green and brown — Application No 18 309 662

*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 9 August 2021 in Case R 783/2021-5.

**Form of order sought**

The applicant claims that the Court should:

- set aside the partial refusal of the trade mark application and register the trade mark as it appears in the application.

**Pleas in law**

- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
  - Infringement of Article 7(1)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
  - Infringement of Article 7(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.
-