

2. Orders Mr Alexander Chambers and the other applicants whose names are listed in the annex to pay the costs.

⁽¹⁾ OJ C 222, 7.6.2022.

Judgment of the General Court of 17 May 2023 — Consulta v EUIPO — Karlinger (ACASA)

(Case T-267/22) ⁽¹⁾

(EU trade mark — Invalidity proceedings — EU word mark ACASA — Absolute ground for invalidity — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 40/94 (now Article 7(1)(b) of Regulation (EU) 2017/1001) — Obligation to state reasons — Article 94 of Regulation 2017/1001)

(2023/C 235/48)

Language of the case: German

Parties

Applicant: Consulta GmbH (Cham, Switzerland) (represented by: M. Kinkeldey and S. Brandstätter, lawyers)

Defendant: European Union Intellectual Property Office (represented by: M. Eberl and E. Nicolás Gómez, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Mario Karlinger (Sölden, Austria) (represented by: M. Mungenast and K. Riedmüller, lawyers)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the First Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 24 January 2022 (Case R 487/2021-1).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Consulta GmbH to pay the costs.

⁽¹⁾ OJ C 257, 4.7.2022.

Judgment of the General Court of 17 May 2023 — Panicongelados-Massas Congeladas v EUIPO — Seder (panidor)

(Case T-480/22) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for EU figurative mark panidor — Earlier national word mark ANIDOR — Likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001)

(2023/C 235/49)

Language of the case: English

Parties

Applicant: Panicongelados-Massas Congeladas, SA (Leiria, Portugal) (represented by: I. Monteiro Alves, lawyer)

Defendant: European Union Intellectual Property Office (represented by: A. Ringelhann and V. Ruzek, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO: Seder Establishment Limited (Mriehel Birkirkara, Malta)