

Other party to the proceedings before the Board of Appeal: Peek & Cloppenburg KG, Hamburg (Hamburg, Germany)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: EU word mark Peek & Cloppenburg — EU trade mark No 270 439

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 20 April 2018 in Case R 522/2006-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Paragraph 15(2) of the German Law on trade marks;
- Infringement of Article 8(4)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Paragraph 15(3) of the German Law on trade marks;
- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 63 of Council Regulation (EC) No 207/2009, read in conjunction with Rule 20(7)(c) of Commission Regulation (EC) No 2868/95.

Action brought on 16 July 2018 — Peek & Cloppenburg v EUIPO — Peek & Cloppenburg (Peek & Cloppenburg)

(Case T-445/18)

(2018/C 311/19)

Language in which the application was lodged: German

Parties

Applicant: Peek & Cloppenburg KG, Düsseldorf (Düsseldorf, Germany) (represented by: P. Lange, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Peek & Cloppenburg KG, Hamburg (Hamburg, Germany)

Details of the proceedings before EUIPO

Party applying for the trade mark at issue: Applicant

Trade mark at issue: EU word mark Peek & Cloppenburg — Application for registration No 2 791 416

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 24 January 2018 in Case R 1270/2007-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Paragraph 15(2) of the German Law on trade marks;
- Infringement of Article 8(4)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Paragraph 15(3) of the German Law on trade marks;
- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 63 of Council Regulation (EC) No 207/2009, read in conjunction with Rule 20(7)(c) of Commission Regulation (EC) No 2868/95.

Action brought on 16 July 2018 — Peek & Cloppenburg v EUIPO — Peek & Cloppenburg (Peek & Cloppenburg)

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Parties

Applicant: Peek & Cloppenburg KG, Düsseldorf (Düsseldorf, Germany) (represented by: P. Lange, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Peek & Cloppenburg KG, Hamburg (Hamburg, Germany)

Details of the proceedings before EUIPO

Party applying for the trade mark at issue: Applicant

Trade mark at issue: EU word mark Peek & Cloppenburg — Application for registration No 4 295 069

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 20 April 2018 in Case R 1589/2007-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, read in conjunction with Paragraph 15(2) of the German Law on trade marks;