

Judgment of the General Court of 26 March 2020 — Muratbey Gida v EUIPO (Shape of a twisted cheese)

(Case T-570/19) ⁽¹⁾

(EU trade mark — Application for a three-dimensional EU trade mark — Shape of a twisted cheese — Absolute ground for refusal — No distinctive character — Article 7(1)(b) of Regulation (EU) 2017/1001)

(2020/C 175/29)

Language of the case: German

Parties

Applicant: Muratbey Gida Sanayi ve Ticaret AŞ (Istanbul, Turkey) (represented by: M. Schork, lawyer)

Defendant: European Union Intellectual Property Office (represented by: A. Söder, acting as Agent)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 13 June 2019 (Case R 106/2019-4) relating to an application for registration of a three-dimensional sign consisting of the shape of a twisted cheese as an EU trade mark.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Muratbey Gida Sanayi ve Ticaret AŞ to pay the costs.

⁽¹⁾ OJ C 328, 30.9.2019.

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(EU trade mark — Application for a three-dimensional EU trade mark — Shape of a twisted cheese — Absolute ground for refusal — No distinctive character — Article 7(1)(b) of Regulation (EU) 2017/1001)

(2020/C 175/30)

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Defendant: European Union Intellectual Property Office (represented by: A. Söder, acting as Agent)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 13 June 2019 (Case R 107/2019-4) relating to an application for registration of a three-dimensional sign consisting of the shape of a twisted cheese as an EU trade mark.