INFORMATION ON UNPUBLISHED DECISIONS

Reports of Cases

Judgment of the General Court (Seventh Chamber) of 2 February 2012 — skytron energy v OHIM (arraybox)

(Case T-321/09)

(Community trade mark — Application for Community word mark arraybox — Absolute ground for refusal — Descriptive character — Lack of distinctive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009)

Community trade mark — Definition and acquisition of the Community trade mark — Absolute grounds for refusal — Marks composed exclusively of signs or indications which may serve to designate the characteristics of goods (Council Regulation No 207/2009, Art. 7(1)(c)) (see paras 20-22, 36)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 4 June 2009 (Case R 1680/2008-1) concerning an application for registration of the word sign arraybox as a Community trade mark.

Operative part

The Court:

1. Dismisses the action;

2. Orders skytron energy GmbH & Co. KG to pay the costs.