Judgment of the General Court (Sixth Chamber) of 13 October 2011 — NEC Display Solutions Europe v OHIM — Nokia (NaViKey)

(Case T-393/09)

(Community trade mark — Opposition proceedings — Application for Community word mark NaViKey — Earlier Community word mark NAVI — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009 — Breach of the duty to state reasons — Article 75 of Regulation No 207/2009)

Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Likelihood of confusion with the earlier mark (Council Regulation No 207/2009, Art. 8(1)(b)) (see paras 22, 31, 55, 58-60)

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 16 June 2009 (Case R 1143/2008-2), relating to opposition proceedings between Nokia Corp. and NEC Display Solutions Europe GmbH.

Operative part

The Court:

1. Dismisses the action;

2. Orders NEC Display Solutions Europe GmbH to pay the costs.