Re:

ACTION brought against the decision of the Fourth Board of Appeal of OHIM of 7 August 2006 (Case R 447/2006-4), relating to the application for registration of the word mark 1000 as a Community trade mark.

Information relating to the case

Applicant for the Community trade mark:	Agencja Wydawnicza Technopol sp. z o.o.
Community trade mark sought:	Word mark 1000 for goods and services in Classes 16, 28 and 41 — Application No 4372264
Decision of the Examiner:	Application refused
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;

2. Orders Agencja Wydawnicza Technopol sp. z o.o. to pay the costs.

Judgment of the Court of First Instance (Second Chamber) of 19 November 2009 — Agencja Wydawnicza Technopol v OHIM (350, 250 and 150)

(Joined Cases T-64/07 to T-66/07)

(Community trade mark — Applications for Community word marks 350, 250 and 150 — Absolute grounds for refusal — Descriptive character —

Article 7(1)(c) of Regulation (EC) No 40/94 (now Article 7(1)(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 40/94, Art. 7(1)(c)) (see paras 25-31)

Re:

Three actions brought against the decisions of the Fourth Board of Appeal of OHIM of 21 December 2006 (Cases R 1033/2006-4, R 1034/2006-4 and R 1035/2006-4) concerning applications for registration of word marks 350, 250 and 150 as Community trade marks.

Information relating to the case

Applicant for the Community trade mark:	Agencja Wydawnicza Technopol sp. z o.o.
Community trade mark sought:	Word marks 350, 250 and 150 for goods in Class 16
Decision of the Examiner:	Registrations refused
Decision of the Board of Appeal:	Appeals dismissed

Operative part

The Court:

1. Dismisses the actions;

2. Orders Agencja Wydawnicza Technopol sp. z o.o. to pay the costs.