Information relating to the case

Applicant for the Community trade mark:	Wilo SE
Community trade mark sought:	Three-dimensional mark representing the casing of a motor of a heating pump for goods in Classes 7 and 11 and a figurative mark representing green facets for goods in Classes 7, 9 and 11 — Application Nos 5805692 and 5620001
Decision of the examiner:	Registrations refused
Decision of the Board of Appeal:	Appeals dismissed

Operative part

The Court:

1. Dismisses the action;

2. Orders Wilo SE to pay the costs.

Judgment of the General Court (Sixth Chamber) of 9 December 2010 — Fédération internationale des logis v OHIM (Green convex square)

(Case T-282/09)

(Community trade mark — Application for a Community figurative trade mark representing a green convex square — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 207/2009)

Community trade mark — Definition and acquisition of the Community trade mark — Absolute grounds for refusal — Marks devoid of any distinctive character (Council Regulation No 207/2009, Art. 7(1)(b)) (see paras 16, 27-30)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 22 April 2009 (Case R 1511/2008-1) concerning an application for registration of a green convex square as a Community trade mark.

Information relating to the case

Applicant for the Community trade mark:	Fédération internationale des logis
Community trade mark sought:	Figurative mark representing a green square for goods and services in Classes 3, 18, 24, 43 and 44 — Application No 6468789
Decision of the examiner:	Registration refused
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;

2. Orders the Fédération internationale des logis to pay the costs.