INFORMATION ON UNPUBLISHED DECISIONS

Reports of Cases

Judgment of the General Court (Second Chamber) of 27 March 2012 — Armani v OHIM – Del Prete (AJ AMICI JUNIOR)

(Case T-420/10)

(Community trade mark — Opposition proceedings — Application for the Community figurative mark AJ AMICI JUNIOR — Earlier national figurative mark AJ ARMANI JEANS — Earlier national word mark ARMANI JUNIOR — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) 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 32-35)

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 8 July 2010 (Case R 1360/2009-2), relating to opposition proceedings between Giorgio Armani SpA and Ms Annunziata Del Prete.

Operative part

The Court:

1. Annuls the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 8 July 2010 (Case R 1360/2009-2);

2. Orders OHIM and Ms Annunziata Del Prete each to pay half of the costs incurred by Giorgio Armani SpA before the Board of Appeal;

3. Orders OHIM and Ms Del Prete to bear their own costs and each to pay half of the costs incurred by Giorgio Armani before the Court.