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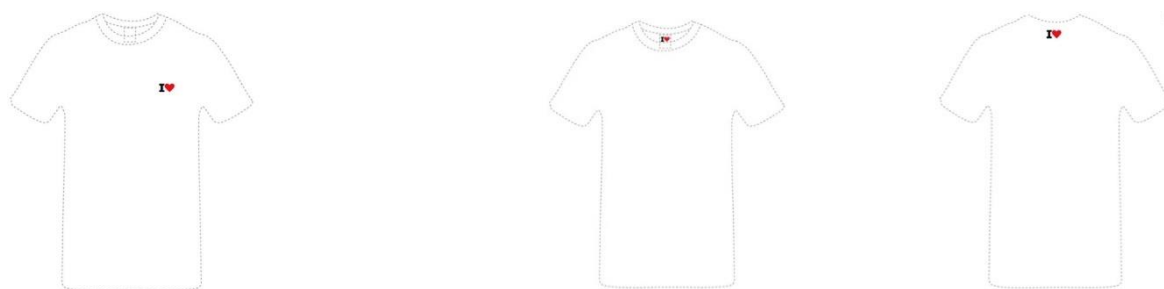
Luxembourg, 9 July 2025

Judgments of the General Court in Cases T-304/24 to T-306/24 | sprd.net v EUIPO (Capital letter 'I' and red heart on the left side of the chest of an item of clothing, on an inside label of an item of clothing and on the exterior of an item of clothing, on the back of the neck)

The **I♥** sign in itself cannot be registered as an EU trade mark for clothes like t-shirts

Even if it is claimed for certain specific positions, it does not allow the goods at issue to be distinguished from those of other undertakings

In 2022, the German undertaking sprd.net applied to the European Union Intellectual Property Office (EUIPO) for registration of three EU trade marks as position trade marks for clothing, in particular t-shirts, sweat-shirts and pull-overs:



According to the description provided by sprd.net, it consists of a sign or logo composed of a capital letter 'I' and of a red heart, placed on an item of clothing on the left side of the chest, on an inside label of an item of clothing or on the exterior of an item of clothing, on the back of the neck. The dotted lines represent the outline of an example item of clothing and illustrate the position of the respective trade mark; they do not form part of the marks applied for.

EUIPO rejected the applications for registration on the ground that the marks applied for lacked distinctive character, that is to say that they do not allow the goods at issue to be distinguished from those of other undertakings. The sign will be understood immediately as the expression 'I love'. Its position does not confer any distinctive character on it either.

sprd.net challenged those rejection decisions of EUIPO before the General Court of the European Union.

The General Court dismisses those actions and thus confirms the decisions of EUIPO.

According to the General Court, EUIPO did not err in concluding that **the specific location of the figurative sign **I♥** on an item of clothing described by sprd.net in its applications for registration is not such as to confer on this sign, which is in itself devoid of distinctive character, ¹ such character with regard to the goods at issue.**

NOTE: EU trade marks and Community designs are valid for the entire territory of the European Union. EU trade marks coexist with national trade marks. Community designs coexist with national designs. Applications for registration of EU trade marks and Community designs are addressed to EUIPO. Actions against its decisions may be brought before the General Court.

NOTE: An action for annulment seeks the annulment of acts of the institutions, organs and bodies of the European Union that are contrary to EU law. The Member States, the European institutions and individuals may, under certain conditions, depending on the case, bring an action for annulment before the Court of Justice or the General Court. If the action is well founded, the act is annulled. The institution concerned must fill any legal vacuum created by the annulment of the act.

NOTE: An appeal, limited to points of law only, may be brought before the Court of Justice against the decision of the General Court within two months and ten days of notification of the decision. The appeal will not proceed unless the Court first decides that it should be allowed to do so. Accordingly, it must be accompanied by a request that the appeal be allowed to proceed, setting out the issue(s) raised by the appeal that is/are significant with respect to the unity, consistency or development of EU law.

Unofficial document for media use, not binding on the General Court.

The full text and, as the case may be, an abstract of the judgments ([T-304/24](#), [T-305/24](#) and [T-306/24](#)) are published on the CURIA website on the day of delivery.

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Images of the delivery of the judgment are available on '[Europe by Satellite](#)' ☎ (+32) 2 2964106.

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¹ The General Court refers, in this regard, to its order of 12 February 2021, *sprd.net v EUIPO – Shirtlabor (I love)*, [T-19/20](#).