

Case T-348/02

Quick Restaurants SA

v

**Office for Harmonisation in the Internal Market
(Trade Marks and Designs) (OHIM)**

(Community trade mark — Trade mark consisting of the word Quick —
Absolute ground for refusal — Descriptive character — Article 7(1)(c) of
Regulation (EC) No 40/94 — Registration refused in part)

Judgment of the Court of First Instance (Fourth Chamber), 27 November
2003 II-5073

Summary of the Judgment

*Community trade mark — Definition and acquisition of the Community trade mark —
Absolute grounds for refusal — Trade marks which consist exclusively of signs or
indications which may serve to designate the characteristics of a product — 'Quick'
(Council Regulation No 40/94, Art. 7(1)(c))*

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The word Quick, for which registration was sought for foodstuffs, pre-prepared dishes, coffee, tea, cocoa and artificial coffee in Classes 29 to 31 of the Nice Agreement, cannot constitute a Community trade mark.

be caught by the prohibition laid down in Article 7(1)(c) of Regulation No 40/94 on the Community trade mark, inasmuch as the word 'quick' immediately suggests to an English-speaking consumer in the Community that the products are ones which can be prepared and served quickly.

The link between the word and the products concerned appears sufficiently close to

(see paras 32, 35-36)