



PRESS RELEASE No 165/23

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Order of the Second Chamber of the General Court in Case T-299/22 | *Sattvica v EUIPO – Maradona and Others (DIEGO MARADONA)*

Legal battle over the DIEGO MARADONA trade mark: the General Court of the European Union confirms the EUIPO's refusal to register the transfer of that trade mark in favour of the Argentine company Sattvica

The documents submitted in support of the request for registration of the transfer do not justify an assignment of the trade mark to that company

Sattvica is a company established in Buenos Aires (Argentina) belonging to the former lawyer of the football player Diego Armando Maradona.

In July 2001, Maradona applied to the European Union Intellectual Property Office (EUIPO) for registration as an EU trade mark of the word sign DIEGO MARADONA. The registration was sought for several personal hygiene and pharmacy products, as well as for clothing, footwear and headgear, including sports clothing and footwear. The application also included a wide and diverse range of services, from restaurant and hospitality services to IT and copyright management services. The trade mark was registered in January 2008.

Maradona died in November 2020. In January 2021, taking the view that the trade mark had been transferred to it, Sattvica requested EUIPO to register that transfer on the basis of two documents issued by Maradona in its favour: an authorisation for the commercial use of trade marks dated 26 December 2015 and an undated agreement authorising use of the trade mark. EUIPO first entered the transfer in the Register.

Maradona's heirs subsequently had the entry of the transfer of the trade mark invalidated. In a decision of March 2022, EUIPO found that Sattvica had not submitted documents duly establishing the transfer of the trade mark in its favour.

Sattvica requested the General Court of the European Union to annul that EUIPO decision.

The Court dismisses Sattvica's action. It confirms the EUIPO's assessment: the documents produced by that company do not formally justify an assignment of the trade mark in its favour under a contract signed between the two parties (Sattvica and Maradona).

Furthermore, **as Maradona had died** before the request for registration of the transfer was submitted, **Sattvica could not correct the irregularities found. Nor** was it **able to produce any other documents.**

NOTE: EU trade marks and Community designs are valid throughout the European Union. EU trade marks coexist with national trade marks. Community designs coexist with national designs. Applications for registration of an EU trade mark 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 of the European Union that are contrary to EU law. The Member States, the European institutions and individuals may, under certain conditions, 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](#) of the Order is published on the CURIA website on the day of delivery.

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