

transcription of the original document : Sentence of the Court of Milan Section Company Section A (Trademarks and Patents) n. 1591/24 of 12.2.24 relating to the RGN case. 20466/20

THEREFORE

The Court, ruling on part of the claims made by the parties, any other claims disregarded or absorbed,

1) preliminarily acknowledges the cessation of the subject matter of the dispute with respect to the claims made by the plaintiff companies XEARPRO s.r.l. and TCR TECORA s.r.l. for invalidity of the CTMs filed by the defendant company CDL TECORA SARL (formerly CARREFOUR DE LABORATOIRE SARL);

2) in partial acceptance of the claims made by XEARPRO s.r.l. and TCR TECORA s.r.l. against the defendants LABORATOIRES PROTEC S.A.S. and CDL TECORA SARL (formerly CARREFOUR DE LABORATOIRE SARL), ascertains the infringement by the defendants of the registered trademarks of which XEARPRO s.r.l. is the owner in connection with the defendants' undue use of the *TECORA* and *DECS* signs, and enjoins the defendants from any further use in any distinctive form and manner of said signs;

3) also inhibits the defendant companies from further use of the domain names *tecora.com*, *tecora.it* and *tecora.fr* and orders pursuant to paragraph 6 of Article 118 c.p.i. against LABORATOIRES PROTEC S.A.S. the transfer of the domain name *tecora.it* to the plaintiff company XEARPRO s.r.l.;

4) fixes at the defendants' expense the penalty of € 1,000.00 for each day of delay for the execution of the injunctions referred to in Chapters 2) and 3) of this operative part, to be applied to the conducts put in place after the lapse of ten days from the service in enforceable form of this judgment by the plaintiffs;

5) upholds the application for a finding of unlawful competition under No. 3 of Article 2598 of the Civil Code made by the defendants LABORATOIRES PROTEC S.A.S. and CDL TECORA SARL (formerly CARREFOUR DE

LABORATOIRE SARL) against the companies XEARPRO s.r.l. and TCR TECORA s.r.l. in

in relation to the conduct specified in the explanatory statement (prospect of continuity of the current TCR

TECORA s.r.l. with respect to the former company TCR TECORA s.r.l.; assertion of existence of additional and different rights with respect to the paternity of the relevant trademark on the equipment named *DECS* marketed by LABORATOIRES PROTEC S.A.S. and CDL TECORA SARL, formerly CARREFOUR DE LABORATOIRE SARL) and inhibits its further continuation;

6) orders the remittance of the case to the preliminary role in order to develop the preliminary investigative initiatives relevant to the assessment of damages resulting from the acceptance of the claims under Chapter 2) and 3);

7) Rejects all further claims made by the parties.

Milan, 12.2.2024

President est.

Claudio Marangoni



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Numero R.A.S
1270 /2024

UFFICIO DEL GIUDICE DI PACE
JUSTICE OF THE PEACE OFFICE

VERBALE DI GIURAMENTO DI TRADUZIONE

Sworn Statement of Translation

Traduttore iscritto all'Albo di Salerno
In data **20 MAR 2024** alla Cancelleria dell'Ufficio del Tribunale / Giudice di Pace di Salerno, avanti al sottoscritto Funzionario è personalmente comparsa la Dott.ssa ORICCHIO MARIAGIOVANNA, identificata con carta d'identità N. AX 4023164 rilasciata dal Comune di Salerno iscritta nell'Albo dei Traduttori del Tribunale di Salerno al n. 912, la quale esibisce la traduzione da lei effettuata e chiede di poterla asseverare con giuramento ai sensi di legge.
Ammonita ai sensi dell'art. 193 c.p.c. e dall'art. 483 c.p. la comparente presta il giuramento ripetendo le parole:
"Giuro di avere svolto l'incarico affidatomi bene e fedelmente al solo scopo di far conoscere la verità".
Si raccoglie il presente giuramento di traduzione per gli usi consentiti dalla legge.

Translator enrolled with the Register of Salerno
On **20 MAR 2024** the following person appeared in person before the undersigned Clerk in the Clerk's Office of the Justice of The Peace of Salerno (ITALY) Ms MARIAGIOVANNA ORICCHIO identified by means of Identity Card no. AX 4023164 issued by the Municipality of Salerno (Italy), enrolled with the Translators' Register of Salerno Court under no. 912 and produced the translation done by her and asked to be allowed to swear it in compliance with the law.
The appearing party, having been warned in accordance with art. 193 of the Code of Civil Procedure and art. 483 of the Penal Code, hereby swears by repeating the following words: "I swear that I have done the translation accurately and faithfully and that my sole purpose was to disclose the truth". This oath for a translation is taken for all legal purposes.

Letto, confermato e sottoscritto

Read, confirmed and signed.

IL FUNZIONARIO [The Clerk]

IL C.T. [The Translator]

[Handwritten signature of the Clerk]

[Handwritten signature of the Translator]



Dichiarazione ai fini dell'esecuzione fiscale si dichiara che il presente atto, è esente da bolli e diritti

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Lex Translation srls
VAT No.02740310814

OFFICIAL TRANSLATORS & INTERPRETERS

Certified and sworn translator accredited by the Court of Salerno (Italy)

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