

3. Third plea in law, alleging breach of the principle of proportionality and the breach of the applicant's fundamental rights to property and freedom to conduct business (Articles 16 and 17 of the Charter of Fundamental Rights of the European Union).
4. Fourth plea in law, alleging infringement of the fundamental principle of non-discrimination.

⁽¹⁾ OJ 2022, L 87 I, p. 44.

⁽²⁾ OJ 2022, L 87 I, p. 1.

Action brought on 24 May 2022 — A2B Connect and Others v Council

(Case T-307/22)

(2022/C 276/24)

Language of the case: English

Parties

Applicants: A2B Connect BV (Purmerend, Netherlands), BIT BV (Ede, Netherlands), Freedom Internet BV (Amsterdam, Netherlands) (represented by: L. Oranje, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicants claim that the Court should:

- pursuant to Article 263 TFEU, annul Council Regulation (EU) 2022/350 of 1 March 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine ⁽¹⁾ and Council Decision (CFSP) 2022/351 of 1 March 2022 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine ⁽²⁾; and
- order the defendant to bear the costs.

Pleas in law and main arguments

In support of the action, the applicants rely on three pleas in law.

1. First plea in law, alleging Article 29 of the TEU and Article 215 of the TFUE do not provide a lawful basis for the contested decision and the contested regulation, respectively, and/or the defendant acted outside its competence as enshrined the Treaties, in particular Title V of the TEU.
2. Second plea in law, alleging the contested regulation and the contested decision violate Article 11 and Article 52 of the Charter of Fundamental Rights of the European Union.
3. Third plea in law, alleging the contested regulation and the contested decision violate Article 41 of the Charter of Fundamental Rights of the European Union, and constitute an infringement of rules of law relating to the application of the Treaties, more specifically the general principles of good administration.

⁽¹⁾ OJ 2022, L 65, p. 1.

⁽²⁾ OJ 2022, L 65, p. 5.

Action brought on 25 May 2022 — PC v Council

(Case T-309/22)

(2022/C 276/25)

Language of the case: English

Parties

Applicant: PC (represented by: G. Lansky, P. Goeth and A. Egger, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- Annul, pursuant to Article 263 TFEU, Council Decision (CFSP) 2022/429 of 15 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine ⁽¹⁾ as well as of the Council Implementing Regulation (EU) 2022/427 of 15 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine ⁽²⁾ ('Contested Acts') — in so far as those acts concern the applicant; and
- order the Council to pay the costs pursuant to Article 134 of the Rules of Procedure.

Pleas in law and main arguments

In support of the action, the applicant relies on a single plea in law, alleging an error of assessment by the Council in including the applicant's name in the annexes to the Contested Acts. The applicant alleges that:

- the Council's reasons for listing the applicant are materially flawed;
- the Council fails to identify the individual, specific and concrete reasons why restrictive measures were imposed on the applicant, and the reasons relied on are not sufficiently detailed, contrary to the Council's obligations;
- the evidence provided is insufficient to support the listing of the applicant by the way of the Contested Acts.

⁽¹⁾ OJ 2022 L 87 I, p. 44.

⁽²⁾ OJ 2022 L 87 I, p. 1.

Action brought on 25 May 2022 — AMO Development v EUIPO (Medical instruments)

(Case T-311/22)

(2022/C 276/26)

Language of the case: English

Parties

Applicant: AMO Development LLC (Santa Ana, California, United States) (represented by: J. Day, Solicitor, and T. de Haan, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Design: Community designs Nos 2 712 885-0001 and 2 712 885-0002

Contested decision: Decision of the Third Board of Appeal of EUIPO of 15 March 2022 in Case R 1433/2021-3

Form of order sought

The applicant claims that the Court should:

- set aside the contested decision;
- order EUIPO to bear the costs, including those incurred by the applicant before the Third Board of Appeal of EUIPO.

Plea in law

- Infringement of Article 67(1) of Council Regulation (EC) No 6/2002.
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