

— order EUIPO to pay the costs;

alternatively, should the Court refuse the first form of order, the applicant claims that Court should:

— raise a decision ordering the annulment of the contested decision to the extent that the application No 18 387 424 is refused protection of class 25 goods;

— order EUIPO to pay the costs.

Plea in law

— Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 5 April 2023 — FFPE Council section v Council

(Case T-179/23)

(2023/C 179/101)

Language of the case: French

Parties

Applicant: European Civil Service Federation Council section (FFPE Council section) (Brussels, Belgium) (represented by: A. Champetier and S. Rodrigues, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

— declare this action admissible and well founded;

and consequently,

— annul the contested decision;

— order the defendant to pay token damages of EUR 1 for the non-material damage allegedly suffered; and

— order the defendant to pay all the costs.

Pleas in law and main arguments

In support of the action for annulment directed against the Council's note of 3 April 2023 informing the applicant of the findings and consequences of the verification procedure opened against it pursuant to the agreement of 28 March 2006 concluded between the Council of the European Union and the trade unions or professional organisations of the staff of the General Secretariat of the Council ('the agreement'), the applicant relies on three pleas in law.

1. First plea in law, alleging breach of the agreement and the engagement letter.
 2. Second plea in law, alleging breach of the spirit of sincere cooperation resulting from the agreement, the principle of good administration, the principle of proportionality and the principle of performance in good faith of agreements.
 3. Third plea in law, alleging violation of the fundamental right to freedom of association.
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