

**Plea in law**

- Infringement of Article 7(1), in conjunction with Article 65(1)(c), of Council Regulation (EC) No 6/2002.

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**Action brought on 8 August 2023 — Bartex Bartol v EUIPO — Grupa Chorten (duch puszczy)****(Case T-473/23)**

(2023/C 329/57)

*Language in which the application was lodged: English***Parties**

*Applicant:* Bartex Bartol sp. z o.o sp. k. (Nowy Tomyśl, Poland) (represented by: A. Gierczak, lawyer)

*Defendant:* European Union Intellectual Property Office

*Other party to the proceedings before the Board of Appeal:* Grupa Chorten (Białystok, Poland)

**Details of the proceedings before EUIPO**

*Proprietor of the trade mark at issue:* Applicant before the General Court

*Trade mark at issue:* European Union word mark duch puszczy — European Union trade mark No 15 668 213

*Procedure before EUIPO:* Cancellation proceedings

*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 17 Mai 2023 in Case R 1450/2022-5

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the other party to the proceedings before the Board of Appeal to bear the costs of the proceedings and reimburse the applicant's costs.

**Pleas in law**

- Infringement of Article 59(1)(a) in conjunction with Article 7(1)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 59(1)(a) in conjunction with Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 95(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council and of Article 54(1) of the Rules of Procedure of the Boards of Appeal;
- Infringement of Article 95(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council in conjunction with Article 52 of the Rules of Procedure of the Boards of Appeal and with Article 16(2) of Commission Delegated Regulation (EU) 2018/625;

- Infringement of Article 16(2) of Commission Delegated Regulation (EU) 2018/625 and of Article 52 of the Rules of Procedure of the Boards of Appeal.

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**Action brought on 28 July 2023 — Sparkasse Essen v SRB**

**(Case T-474/23)**

(2023/C 329/58)

*Language of the case: German*

**Parties**

*Applicant:* Sparkasse Essen (Essen, Germany) (represented by: F. Kruis and N. Bartmann, lawyers)

*Defendant:* Single Resolution Board

**Form of order sought**

The applicant claims that the Court should:

- annul the decision of the Single Resolution Board of 2 May 2023 on the calculation of the 2023 ex-ante contributions to the Single Resolution Fund (SRB/ES/2023/23) together with annexes, at least in so far as it concerns the applicant;
- order the Single Resolution Board to pay the costs.

**Pleas in law and main arguments**

In support of the action, the applicant relies on eight pleas in law which are identical to those relied on in Case T-410/23, *BAWAG PSK v SRB*.

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**Action brought on 28 July 2023 — Sparkasse KölnBonn v SRB**

**(Case T-475/23)**

(2023/C 329/59)

*Language of the case: German*

**Parties**

*Applicant:* Sparkasse KölnBonn (Cologne, Germany) (represented by: F. Kruis and N. Bartmann, lawyers)

*Defendant:* Single Resolution Board

**Form of order sought**

The applicant claims that the Court should:

- annul the decision of the Single Resolution Board of 2 May 2023 on the calculation of the 2023 ex-ante contributions to the Single Resolution Fund (SRB/ES/2023/23) together with annexes, at least in so far as it concerns the applicant;
- order the Single Resolution Board to pay the costs.

**Pleas in law and main arguments**

In support of the action, the applicant relies on eight pleas in law which are identical to those relied on in Case T-410/23, *BAWAG PSK v SRB*.

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