

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: ChangZhou Kaidi Electrical Co. Ltd (Changzhou, China)

Details of the proceedings before EUIPO

Proprietor of the design at issue: Applicant

Design at issue: Community design ‘Electrically operated lifting column’ — Community design No 101 159-0002

Contested decision: Decision of the third Board of Appeal of EUIPO of 21 March 2017 in Case R 1412/2015-3

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the intervener to pay the costs of the Applicant.

Plea in law

- Infringement of Article 6 of Regulation No 6/2002.

Action brought on 13 June 2017 — Winkler v Commission

(Case T-369/17)

(2017/C 249/63)

Language of the case: German

Parties

Applicant: Bernd Winkler (Grange, Ireland) (represented by: A. Kässens, lawyer)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the defendant’s decision of 13 March 2017 on the applicant’s complaint and order the defendant to adopt a decision on the calculation of the capital value at the time of the registration of the applicant’s claim on 14 September 2011;
- in the alternative, order the defendant to pay compensation amounting to EUR 19 920,39, payable to the applicant’s pension account.

Pleas in law and main arguments

In support of the action, the applicant puts forward three pleas in law:

1. First plea in law: infringement of the principle that action must be taken within a reasonable period, infringement of the principles of legal certainty and of fair procedure, and infringement of the obligations relating to information and consultation.
 2. Second plea in law: infringement of the principles of equal treatment, non-discrimination and proportionality.
 3. Third plea in law: failure to respect legitimate expectations.
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