

4. Fourth plea in law, alleging that the COMP/Commission committed a manifest error of assessment in evaluating and rejecting the evidence put forward by the applicant as to the lack of availability of trientine.

(¹) Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (Text with EEA relevance) (OJ 2004 L 136, p. 1).

Action brought on 30 October 2017 — Lincoln Global/EUIPO (FLEXCUT)

(Case T-736/17)

(2018/C 013/41)

Language of the case: English

Parties

Applicant: Lincoln Global, Inc. (Santa Fe Springs, California, United States) (represented by: K. Piepenbrink, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: EU word mark ‘FLEXCUT’ — Application for registration No 15 111 198

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 30 August 2017 in Case R 2225/2016-4

Form of order sought

The applicant claims that the Court should:

— annul the contested decision;

— order EUIPO to pay the costs.

Plea in law

— Infringement of Articles 7(1)(b) and (c) Regulation No 207/2009.

Action brought on 30 October 2017 — Trasys International and Axianseu Digital Solutions v EASA

(Case T-741/17)

(2018/C 013/42)

Language of the case: French

Parties

Applicants: Trasys International GEIE (Brussels, Belgium) and Axianseu Digital Solutions SA (Lisbon, Portugal) (represented by: L. Masson and G. Tilman, lawyers)

Defendant: European Aviation Safety Agency (EASA)

Form of order sought

The parties claim that the Court should:

- annul the decision taken on 28 August 2017 for the European Aviation Safety Agency by its director, in the context of the contract entitled ‘EASA.2017.HVP.08: IT Application & Infrastructure Management Services — ITAIMS’ ...;
- consequently, annul the implied decision not to award the various framework contracts to the applicants;
- order the EASA to pay the entire costs of the proceedings.

Pleas in law and main arguments

In support of its action, the applicants rely on a single plea in law, alleging failure to state reasons in the contested decision, with a price which appears to be abnormally low.

Action brought on 9 November 2017 — Kim and Others v Council

(Case T-742/17)

(2018/C 013/43)

Language of the case: English

Parties

Applicants: Il-Su Kim (Pyongyang, North Korea), Song-Sam Kang (Hamburg, Germany), Chun-Sik Choe (Pyongyang), Kyu-Nam Sin (Pyongyang) and Chun-San Pak (Pyongyang) (represented by: M. Lester, QC, S. Midwinter, QC, T. Brentnall and A. Stevenson, solicitors)

Defendant: Council of the European Union

Form of order sought

The applicants claim that the Court should:

- annul Council Regulation 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No 329/2007, insofar as it applies to them;
- order the Defendant to pay the applicants' costs.

Pleas in law and main arguments

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

1. First plea in law, alleging that the Defendant has failed to give adequate or sufficient reasons for including the Applicants.
2. Second plea in law, alleging that the Defendant has manifestly erred in considering that any of the criteria for listing in the contested measures were fulfilled in the Applicants' case; there is no factual basis for their inclusion.
3. Third plea in law, alleging that the Defendant has breached the Applicants' right to equal treatment.
4. Fourth plea in law, alleging that the Defendant has breached the Applicants' rights of defence by failing to provide them with the evidence on which the Defendant relies before re-listing the Applicants.