

**Form of order sought**

- annul the defendant's decision contained in a letter received by the applicants on 2 April 2018, rejecting the joint tender submitted by them for a follow-up study on trade union practices on non-discrimination and diversity in the workplace (call for tenders JUST/2017/RDIS/FW/EQUA/0042);
- order the defendant to provide legally satisfactory transparency in the form of pertinent information and quantitative and qualitative analysis concerning the competition-related situation pertaining in particular to the successful tenderer and in relation to diversity concerns in the relevant markets for the tender at issue;
- order the defendant to pay damages in the amount of EUR 35 000, plus interest to the applicants, on account of the harm they allegedly suffered as a result of failure to respect their legitimate expectations, a loss of opportunity to perform the contract in question and infringement of other rights and principles;
- order the defendant to pay the costs of the present proceedings.

**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 that the defendant infringed the obligation to state reasons in its evaluation of their tender in respect of the call for tenders JUST/2017/RDIS/FW/EQUA/0042.
2. Second plea in law, alleging that the defendant committed several manifest errors of assessment in its evaluation of the applicants' tender in respect of the said call for tenders.
3. Third plea in law, alleging that the defendant violated its duty to secure the applicants' legitimate expectations as to a competitive market situation guaranteeing a level playing field among competitors, including by tolerating and/or favouring actual or possible abuses of dominant market positions, and that the defendant infringed the principles of equal treatment, sound administration, transparency and good faith in the procedure which led to the adoption of the contested decision.

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**Action brought on 29 June 2018 — Hugo's Hotel v EUIPO — H'ugo's (Hugo's Burger Bar)**

**(Case T-397/18)**

(2018/C 301/54)

*Language of the case: English*

**Parties**

*Applicant:* Hugo's Hotel Ltd (St. Julians, Malta) (represented by: R. Sladden, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* H'ugo's GmbH (München, Germany)

**Details of the proceedings before EUIPO**

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

*Trade mark at issue:* Application for European Union figurative mark Hugo's Burger Bar in red, black and white — Application for registration No 14 608 806

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 2 May 2018 in Case R 1879/2017-4

**Form of order sought**

The applicant claims that the Court should:

- Overturn the Board of Appeal's Decision;
- Declare that the Application Number 014608806 may proceed to registration

**Pleas in law**

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

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**Action brought on 2 July 2018 — Landesbank Baden-Württemberg v SRB**

**(Case T-400/18)**

(2018/C 301/55)

*Language of the case: German*

**Parties**

*Applicant:* Landesbank Baden-Württemberg (Stuttgart, Germany) (represented by: H. Berger and K. Rübsamen, lawyers)

*Defendant:* Single Resolution Board (SRB)

**Form of order sought**

The applicant claims that the Court should:

- annul the Single Resolution Board's decision of 12 April 2018 concerning the calculation of the ex-ante contributions to the Single Resolution Fund for 2018 (SRB/ES/SRF/2018/03), including the Annex thereto, in so far as the contested decision, including the Annex thereto, concerns the applicant's contribution;
- order the defendant to pay the costs of the proceedings.

**Pleas in law and main arguments**

In support of the action, the applicant relies on six pleas in law which are, in essence, identical or similar to the pleas in law relied on in Case T-411/17, *Landesbank Baden-Württemberg v SRB*.<sup>(1)</sup>

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<sup>(1)</sup> OJ 2017 C 277, p. 51.