

Details of the proceedings before EUIPO

Trade mark at issue: Application for registration of the word mark REAKTOR as a European Union trade mark — Application for registration No 13 752 522

Contested decision: Decision of the Second Board of Appeal of EUIPO of 27 August 2018 in Case R 2626/2017-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 27 August 2018 in Case R 2626/2017-2 in so far as the Second Board of Appeal, by the contested decision, dismissed EU trade mark application 13752522 REAKTOR ('the REAKTOR mark') for certain goods and services applied for in classes 9, 41 and 42 on the basis of Article 7(1)(b) and (c) of the EU Trade Mark Regulation; and allow the application concerning the REAKTOR mark to be published and registered in its entirety for all the goods and services applied for;
- order EUIPO to pay the applicant the costs incurred in respect of the appeal before the General Court of the European Union and the Board of Appeal;

Plea in law

- Infringement of Article 7(1)(b) and (c) of Regulation No 207/2009.

Action brought on 12 November 2018 — Soundio v EUIPO — E-Plus Mobilfunk (Vibble)

(Case T-665/18)

(2019/C 16/68)

Language of the case: English

Parties

Applicant: Soundio A/S (Drammen, Norway) (represented by: N. Köster and J. Albers, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: E-Plus Mobilfunk GmbH (Düsseldorf, Germany)

Details of the proceedings before EUIPO

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

Trade mark at issue: International registration designating the European Union in respect of the mark Vibble — International registration designating the European Union No 1 290 194

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 4 September 2018 in Case R 721/2018-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs of the proceedings.

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 9 November 2018 — Pinto Teixeira v EEAS**(Case T-667/18)**

(2019/C 16/69)

*Language of the case: French***Parties**

Applicant: José Manuel Pinto Teixeira (Oeiras, Portugal) (represented by: S. Orlandi and T. Martin, lawyers)

Defendant: European External Action Service

Form of order sought

The applicant claims that the General Court should:

- annul the decision of 21 February 2018 by which the Appointing Authority refused to authorise him to engage in an outside activity under Article 16 of the Staff Regulations;
- order the EEAS to pay the costs and to pay the sum of EUR 10 000 for the non-material damage suffered.

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging infringement of Article 16 of the Staff Regulations of Officials of the European Union, in that the contested decision was adopted after the expiry of the period of 30 working days from the reception of his declaration of intention to engage in an occupational activity after leaving the service.
2. Second plea in law, alleging manifest errors of assessment which render the contested decision unlawful, since the proposed activity is manifestly neither connected to the activity which he exercised during the last three years of service nor incompatible with the interests of the EEAS.

Action brought on 15 November 2018 — ZU v Commission**(Case T-671/18)**

(2019/C 16/70)

*Language of the case: English***Parties**

Applicant: ZU (represented by: C. Bernard-Glanz, lawyer)

Defendant: European Commission