

Action brought on 11 January 2019 — Pablosky v EUIPO — docPrice (mediFLEX easystep)**(Case T-20/19)**

(2019/C 82/75)

*Language of the case: English***Parties***Applicant:* Pablosky, SL (Madrid, Spain) (represented by: A. Tarí Lázaro, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* docPrice GmbH (Koblenz, Germany)**Details of the proceedings before EUIPO***Applicant of the trade mark at issue:* Other party to the proceedings before the Board of Appeal*Trade mark at issue:* Application for European Union word mark mediFLEX easystep — Application for registration No 15 730 872*Procedure before EUIPO:* Opposition proceedings*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 8 November 2018 in Case R 77/2018-4**Form of order sought**

The applicant claims that the Court should:

- reverse the contested decision;
- reject the EUTM No 15 730 872 in its entirety as regards products included in classes 10 and 25;
- award the costs to the applicant.

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 11 January 2019 — Pablosky v EUIPO — docPrice (mediFLEX easystep)**(Case T-21/19)**

(2019/C 82/76)

*Language of the case: English***Parties***Applicant:* Pablosky, SL (Madrid, Spain) (represented by: A. Tarí Lázaro, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* docPrice GmbH (Koblenz, Germany)**Details of the proceedings before EUIPO***Applicant of the trade mark at issue:* Other party to the proceedings before the Board of Appeal

Trade mark at issue: Application for European Union word mark mediFLEX easystep — Application for registration No 15 730 898

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 8 November 2018 in Case R 76/2018-4

Form of order sought

The applicant claims that the Court should:

- reverse the contested decision;
- reject the EUTM No 15 730 898 in its entirety as regards products included in classes 10 and 25;
- award the costs to the applicant.

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 11 January 2019 — Noguer Enríquez and Others v Commission

(Case T-22/19)

(2019/C 82/77)

Language of the case: Spanish

Parties

Applicants: Roser Noguer Enríquez (Andorra la Vella, Andorra), TB (*), Successors D'Higini Cierco García, SA (Andorra la Vella), Cierco Martínez 2 2003, SL (Andorra la Vella) (represented by: J. Álvarez González and S. San Felipe Menéndez, lawyers)

Defendant: European Commission

Form of order sought

The applicants claim that the Court should admit the action to establish the non-contractual liability of the European Union for damage caused by the European Commission in the performance of its duties, as set out in Articles 268 and 340(2) TFEU, and, after the appropriate legal procedures have been completed and the proceedings established to that effect have been dealt with, should deliver judgment declaring that the European Union has incurred non-contractual liability for the negligent and permissive conduct of the European Commission, order that the applicants be awarded compensation in the amount of EUR 50 220 800 in accordance with the calculations and quantification set out in the expert report accompanying the written application or, in the alternative, in the amount resulting from the expert opinion issued by the expert designated by the Court, together with interest at the statutory rate, and order the defendant to pay the costs.

Pleas in law and main arguments

In support of their action, the applicants raise the following pleas in law.

1. Infringement of the Monetary Agreement between the European Union and the Principality of Andorra and incorrect transposition by the Principality of Andorra, with the Commission's consent, of Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council. ⁽¹⁾ Specifically, the Commission:

(*) Information erased or replaced within the framework of protection of personal data and/or confidentiality.