

Trade mark at issue: European Union word mark TALIS — European Union trade mark No 15 632 871

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 23 March 2021 in Case R 888/2020-4

Form of order sought

The applicant claims that the Court should:

- uphold the present application;
- reform the contested decision in such manner to uphold the applicant's appeal and reform the decision issued in cancellation procedure No 26 909 C of 17 March 2020 in such manner, to uphold the application for a declaration of invalidity of the contested trade mark TALIS and to declare the contested trade mark invalid in its entirety;
- in the alternative, annul the contested decision;
- remit the case back to the EUIPO for further deliberation;
- order EUIPO to pay all costs.

Pleas in law

- Infringement of Article 60(1)(a) in conjunction with Article 8(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 59(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 63(1)(b) in conjunction with Article 46(1)(a) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 21 May 2021 — Pejovič v EUIPO — ETA živilska industrija (RENČKI HRAM)
(Case T-284/21)

(2021/C 278/85)

Language of the case: English

Parties

Applicant: Edvin Pejovič (Pobegi, Slovenia) (represented by: U. Pogačnik, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: ETA živilska industrija d.o.o. (Kamnik, Slovenia)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: European Union figurative mark RENČKI HRAM — European Union trade mark No 15 297 336

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 23 March 2021 in Case R 1050/2020-4

Form of order sought

The applicant claims that the Court should:

- uphold the present application;
- reform the contested decision in such manner to uphold the applicant's appeal and reform the decision issued in cancellation procedure No. 34 709 C of 12 May 2020 in such manner to uphold the application for a declaration of invalidity of the contested trade mark RENČKI HRAM and to declare the contested trade mark invalid in its entirety;
- in the alternative, to annul the contested decision;
- remit the case back to the EUIPO for further deliberation;
- order EUIPO to pay all costs.

Pleas in law

- Infringement of Article 60(1)(a) in conjunction with Article 8(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 59(1)(b) Infringement of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 63(1)(b) in conjunction with Article 46(1)(a) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 21 May 2021 — Alliance française de Bruxelles-Europe and Others v Commission

(Case T-285/21)

(2021/C 278/86)

Language of the case: French

Parties

Applicant: Alliance française de Bruxelles-Europe (Brussels, Belgium) and seven other applicants (represented by: E. van Nuffel d'Heynsbroeck, lawyer)

Defendant: European Commission

Form of order sought

The applicant claims that the General Court should:

- order, until the order terminating the procedure for interim relief is issued, the suspension of the operation of the European Commission's decision to award lot 4 (French language) of the contract relating to Framework Contracts on Language Training for the Institutions, Bodies and Agencies of the European Union (No HR/2020/OP/0014), in first place, to the consortium CLL Centre de Langues — Allingua and, in second place, to the consortium Alliance Europe Multilingue, comprised of the applicants, and adopt any other necessary measure, including indicating the effect of that suspension on any contract concluded in breach of the standstill period laid down by Article 175 of the Financial Regulation;
- order the European Commission to pay the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging a failure to provide sufficient reasons, in breach of Article 170(3) of the Financial Regulation. In that regard, the applicants claim that an examination of the reasons provided concerning the qualities of the tender submitted by the applicants and the characteristics and advantages of the tender of the highest-ranked tenderer does not show any correlation between the assessment and the rating awarded, and that it is therefore not possible to understand why the applicants' tender is rated lower than the tender of the highest-ranked tenderer.