

**Action brought on 28 July 2023 — Almaghout v Council****(Case T-437/23)**

(2023/C 321/74)

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

*Applicant:* Hala Almaghout (represented by: M. Lester and M. Birdling, Barristers and G. Symeonidis, lawyer)

*Defendant:* Council of the European Union

**Form of order sought**

The applicant claims that the Court should:

- annul the Decision (CFSP) 2023/1035 of 25 May 2023 <sup>(1)</sup>, maintaining the listing of the Applicant under Annex I to Council Decision 2013/255/CFSP as amended and Annex II to Council Regulation (EU) No 36/2012 of 18 January 2012 as amended (the Contested Measures), insofar as they apply to the Applicant.
- order that the Council pay her costs.

**Pleas in law and main arguments**

In support of the action, the applicant contends that her inclusion in the Contested Measures is a result of manifest errors of assessment by the Council. In particular, she is no longer a member of the Makhoul family, has no connection with the Syrian regime, has no influence over it and poses no risk of circumvention. Contrary to the reasons given for listing her on the EU's Syria restrictive measures, there is no risk in her case that any inherited assets will be used to support the activities of the Syrian regime or will flow into the regime's possession.

---

<sup>(1)</sup> JO 2023, L 139, p. 49.

---

**Action brought on 31 July 2023 — Lotum one v EUIPO — Playtika Santa Monica (WORDBLITZ)****(Case T-438/23)**

(2023/C 321/75)

*Language in which the application was lodged: German***Parties**

*Applicant:* Lotum one GmbH (Bad Nauheim, Germany) (represented by: T. Hogg Holub, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Playtika Santa Monica, LLC (Henderson, Nevada, United States)

**Details of the proceedings before EUIPO**

*Applicant for the trade mark at issue:* Applicant

*Trade mark at issue:* Application for EU figurative mark WORDBLITZ — Application No 18 024 980

*Proceedings before EUIPO: Opposition proceedings*

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 27 March 2023 in Case R 1682/2021-4

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

---

**Action brought on 31 July 2023 — Marcandita/EUIPO — Euronext (bnext)**  
**(Case T-439/23)**  
(2023/C 321/76)

*Language in which the application was lodged: English*

### **Parties**

*Applicant:* Marcandita, SL (Madrid, Spain) (represented by: J. Gracia Albero and E. Cebollero González, lawyers)

*Defendant:* European Union Intellectual Property Office

*Other party to the proceedings before the Board of Appeal:* Euronext NV (Amsterdam, Netherlands)

### **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 bnext — Application for registration No 18 309 107

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 28 April 2023 in Case R 2111/2022-4

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs of the present proceedings before the General Court and order the intervener to pay the costs deriving from the proceedings before the Opposition Division and the Fourth Board of Appeal EUIPO.

### **Plea in law**

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