

— The applicant further claims that the request for cancellation of the registration under Regulation No 510/2006 is admissible and well founded. In this connection, it maintains, inter alia, that there are two grounds for cancellation (the generic nature of the contested indication within the meaning of Article 3(1) of Regulation No 510/2006, and the erroneous delimitation of the geographic zone of Silesia in the registration specifications) for the purpose of Article 12(2) of Regulation No 510/2006, and that any different interpretation and application of that provision would infringe the fundamental rights of bakeries in the Federal Republic of Germany.

## 2. Second plea in law: breach of Regulation No 1151/2012

— The applicant claims that its request would be admissible and well founded even if it were assessed on the basis of Regulation No 1151/2012.

<sup>(1)</sup> Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ 2012 L 343, p. 1).

<sup>(2)</sup> Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ 2006 L 93, p. 12).

## Action brought on 4 July 2013 — easyJet Airline v Commission

(Case T-355/13)

(2013/C 260/79)

*Language of the case: English*

### Parties

*Applicant:* easyJet Airline Co. Ltd (London, United Kingdom) (represented by: M. J. Werner and R. Marian, lawyers)

*Defendant:* European Commission

### Form of order sought

The applicant claims that the Court should:

— Declare void the Commission's decision C(2013) 2727 final of 3 May 2013 in Case COMP/39.869 — easyJet/Schiphol; and

— Order the defendant to bear the costs.

### 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 that the contested decision is vitiated by an error of law (misinterpretation of the provisions of Article 13 of Council Regulation (EC) No 1/2003 <sup>(1)</sup>) combined with manifest error of assessment (erroneous conclusion that the national proceedings in the Netherlands equated to a national competition authority having dealt with the case).

2. Second plea in law, alleging that the contested decision infringes an essential procedural requirement, namely the failure to give adequate statements for the reasons for its rejection. In addition, the Commission has not considered all the matters of fact and of law which the applicant brought to its attention.

<sup>(1)</sup> Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty (OJ 2003 L 1, p. 1)

## Action brought on 5 July 2013 — European Space Imaging v Commission

(Case T-357/13)

(2013/C 260/80)

*Language of the case: German*

### Parties

*Applicant:* European Space Imaging GmbH (Munich, Germany) (represented by: W. Trautner, lawyer)

*Defendant:* European Commission

### Form of order sought

The applicant claims that the Court should:

— annul the decision notified by letter of 5 June 2013 concerning the annulment of the restricted procedure;

— annul the decision notified by letter of 5 June 2013 to hold a new procurement procedure by way of an open procedure;

— 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 two pleas in law.

1. First plea in law, alleging breach of the principle of proportionality