

3. Third plea in law, alleging infringement of Regulation (EC) No 45/2001 ⁽¹⁾.

The applicant argues that the lack of response from the EDPS constitutes a breach of the duty to inform the data subject, provided for in Articles 46(a) and 20(4) of Regulation (EC) No 45/2001.

⁽¹⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ 2001 L 8, p. 1).

Action brought on 9 December 2014 — Gervais Danone v OHIM — San Miguel (B'lue)

(Case T-803/14)

(2015/C 034/52)

Language in which the application was lodged: English

Parties

Applicant: Compagnie Gervais Danone (Paris, France) (represented by: A. Lakits, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)

Other party to the proceedings before the Board of Appeal: San Miguel, Fábricas de Cerveza y Malta, SA (Barcelona, Spain)

Details of the proceedings before OHIM

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: Community figurative mark containing the word element 'B'lue' — Community trade mark registration No 10 549 509

Procedure before OHIM: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of OHIM of 30 September 2014 in Case R 1382/2013-5

Form of order sought

The applicant claims that the Court should:

- Annul the contested decision;
- Order OHIM to bear the costs of the present proceedings and the other party to bear the costs of the proceedings before the OHIM.

Plea in law

- Infringement of Article 8(1)(b) of Regulation No 207/2009.

Action brought on 9 December 2014 — Stagecoach Group v OHIM (MEGABUS.COM)

(Case T-805/14)

(2015/C 034/53)

Language of the case: English

Parties

Applicant: Stagecoach Group plc (Perth, United Kingdom) (represented by: G. Jacobs, lawyer)