

- the omission to conduct an analysis of the vertical effects of the Concentration;
 - the insufficiency of the reasoning in support of the conclusion that it can be left open whether the Concentration gives rise to an SIEC on the wholesale market for access and call origination in Germany; and
 - the insufficiency of the reasoning as regards conclusions drawn regarding horizontal coordinated effects in the wholesale market for access and call origination and in the retail mobile telecommunications market in Germany.
2. Second plea in law, alleging that the Commission committed serious errors of law and manifest errors of assessment when it:
- accepted the Final Commitments proposed by Telefónica;
 - concluded that these Final Commitments would address in full the SIEC; and
 - authorised the Concentration subject to Telefónica's compliance with the Final Commitments.
3. Third plea in law, alleging that the Commission, in adopting its Decision, misused its powers by taking account policy considerations unrelated to competition rather than pursuing the competition objectives of the Treaties and the European Union Merger Regulation ('EUMR')⁽¹⁾.

⁽¹⁾ Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation) (OJ L 24, 29.1.2004, p. 1).

Action brought on 3 June 2015 — Reisen­thel v OHIM (keep it easy)

(Case T-308/15)

(2015/C 270/45)

Language of the case: German

Parties

Applicant: Peter Reisen­thel (Gilching, Germany) (represented by: E. Aliko Busse, lawyer)

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

Details of the proceedings before OHIM

Trade mark at issue: Community word mark 'keep it easy' — Application No 12 877 924

Contested decision: Decision of the Fifth Board of Appeal of OHIM of 26 March 2015 in Case R 2659/2014-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;

— order OHIM to pay the costs.

Plea in law

— Infringement of Article 7(1)(b) of Regulation No 207/2009.

Appeal brought on 5 June 2015 by CW against the judgment of the Civil Service Tribunal of 26 March 2015 in Case F-124/13 CW v Parliament

(Case T-309/15 P)

(2015/C 270/46)

Language of the case: English

Parties

Appellant: CW (Brussels, Belgium) (represented by: C. Bernard-Glanz, lawyer)

Other party to the proceedings: European Parliament

Form of order sought by the appellant

The appellant claims that the Court should:

- declare the appeal admissible;
- set aside the judgment under appeal;
- annul the contested decision and the decision rejecting the complaint;
- award damages; and
- order the European Parliament to pay the costs.

Pleas in law and main arguments

In support of the appeal, the appellant relies on two pleas in law.

1. First plea in law, alleging that the Civil Service Tribunal distorted evidence and erred in law in finding that, in the decision rejecting the complaint, the appointing authority sought to endorse the substance of the decision refusing assistance.
2. Second plea in law, alleging that the Civil Service Tribunal distorted evidence and erred in law in considering that the Parliament did not make a manifest error of assessment in its choice of measures and methods for applying Article 24 of the Staff Regulations.

Action brought on 9 June 2015 — Market Watch v OHIM — Glaxo Group (MITOCHRON)

(Case T-312/15)

(2015/C 270/47)

Language in which the application was lodged: English

Parties

Applicant: Market Watch Franchise & Consulting, Inc. (Freeport, Bahamas) (represented by: J. Korab, lawyer)

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