

Action brought on 26 November 2015 — City Train v EUIPO (City Train)**(Case T-699/15)**

(2016/C 111/31)

*Language of the case: German***Parties***Applicant:* City Train GmbH (Regensburg, Germany) (represented by: C. Adori, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)**Details of the proceedings before EUIPO***Trade mark at issue:* European Union figurative mark containing the word element 'City Train' — Application No 13 154 315*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 9 September 2015 in Case R 843/2015-4**Form of order sought**

The applicant claims that the Court should:

- Annul the defendant's decision of 9 September 2015 and order it to register the figurative trade mark 'City Train' indicating the colours 'grey, light red' which was applied for under application No 13 154 315 on 8 August 2014 as a European Union trade mark in respect of the goods and services in Classes 12, 37 and 42 referred to the application.

Pleas in law

- Infringement of Article 7(1)(b) of Regulation No 207/2009;
- Infringement of Article 7(1)(c) of Regulation No 207/2009.

Appeal brought on 16 December 2015 by DD against the judgment of the Civil Service Tribunal of 8 October 2015 in Joined Cases F-106/13 and F-25/14 DD v FRA**(Case T-742/15 P)**

(2016/C 111/32)

*Language of the case: English***Parties***Appellant:* DD (Vienna, Austria) (represented by: L. Levi and M. Vandenbussche, lawyers)*Other party to the proceedings:* European Union Agency for Fundamental Rights (FRA)**Form of order sought by the appellant**

The appellant claims that the Court should:

- partly set aside the judgment in joint cases F-106/13 and F-25/14 of 8 October 2015;