

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: EU word mark 'MAXPLAY' — Application for registration No 14 047 963

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 26 May 2016 in Case R 2273/2015-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Articles 7(1)(b) and 7(1)(c) of Regulation No 207/2009.
- Failure to take into account properly previous European Union trade mark and national registrations as well as a national application.

Action brought on 31 July 2016 — Makhoul v Council

(Case T-409/16)

(2016/C 371/14)

Language of the case: French

Parties

Applicant: Ehab Makhoul (Damascus, Syria) (represented by: E. Ruchat, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- declare the applicant's action admissible and well founded;
- consequently, annul Decision (CFSP) 2016/850 of 27 May 2016 and the subsequent measures implementing it, in so far as they relate to the applicant;
- order the Council of the European Union to pay the costs of the proceedings.

Pleas in law and main arguments

In support of the action, the applicant relies on five pleas in law which are essentially identical or similar to those relied on in Case T-410/16, *Makhoul v Council*.
