

3. Third plea in law, alleging infringement of the principle of proportionality, vitiating the contested decision, in so far as that decision (i) infringes the general principle of proportionality enshrined in Article 5 of the Treaty on European Union and (ii) fails to meet the specific requirements attached to the principle of proportionality in matters of prudential supervision, which require that prudential requirements be adapted to the business model of the bank and to the associated risks for the financial sector and the economy.

Action brought on 4 November 2016 — Basil v EUIPO — Artex (Bicycle baskets)

(Case T-760/16)

(2017/C 006/57)

Language in which the application was lodged: German

Parties

Applicant: Basil BV (Silvolde, Netherlands) (represented by: N. Weber and J. von der Thüsen, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Artex SpA (Zeno di Cassola, Italy)

Details of the proceedings before EUIPO

Proprietor of the design at issue: Applicant

Design at issue: Community design No 142 245-0001

Contested decision: Decision of the Third Board of Appeal of EUIPO of 7 July 2016 in Case R 535/2015-3

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order the defendant and, if applicable, the other parties involved to pay the costs of the proceedings.

Pleas in law

- Infringement of Article 52(3) of Regulation No 6/2002;
- Infringement of Article 7 of Regulation No 6/2002, infringement of principles relating to the burden of proof and infringement of rules of logic in the evaluation of evidence;
- Infringement of Article 6 of Regulation No 6/2002.

Action brought on 31 October 2016 — PY v EUCAP Sahel Niger

(Case T-763/16)

(2017/C 006/58)

Language of the case: French

Parties

Applicant: PY (Souffelweyersheim, France) (represented by: S. Rodrigues and A. Tymen, lawyers)

Defendant: EUCAP Sahel Niger (Niamey, Niger)