

- Third, the General Court should recognise the need for the Commission to ensure the proportionality of commitments vis-à-vis interested third parties.
4. Fourth plea in law, alleging that the Commission misused its powers, since the commitments which it made compulsory interfere in the ongoing legislative process before the European Parliament, which expressed reservation and concern at the abolition of the territoriality of licences in the audiovisual sector and its impact on the financing of cinema, concentration in the sector and cultural diversity. The Commission did not take the above into account, pre-empting by negotiating with a single non-European undertaking, namely Paramount, the outcome of important legislative debates. This plea in law is divided into two parts.
- First part, according to which the contested decision fulfils an aim which falls within the competences and objectives of the legislature and not of the Commission which took the place of the EU legislature.
- Second part, according to which the set of indicia noted by GROUPE CANAL + constitutes sufficient prima facie evidence to give rise to a serious doubt concerning the Commission's responsibility in the contested decision.

Action brought on 9 December 2016 — Karelia v EUIPO (KARELIA)

(Case T-878/16)

(2017/C 038/67)

Language of the case: English

Parties

Applicant: Ino Karelia (Kalamata, Greece) (represented by: M. Karpathakis, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: EU word mark 'KARELIA' — Application for registration No 964 502

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 19 September 2016 in Case R 1562/2015-5

Form of order sought

The applicant claims that the Court should:

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

Plea in law

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

Action brought on 16 December 2016 — Republic of Poland v Commission

(Case T-883/16)

(2017/C 038/68)

Language of the case: Polish

Parties

Applicant: Republic of Poland (represented by: B. Majczyna, acting as Agent)