

- order EUIPO and the intervening party, LA DOLFINA S.A., to pay all the costs of the dispute before the General Court, including those relating to the procedure before the Second Board of Appeal.

#### **Plea in law**

- Infringement of Articles 15, 42, 51, 75, 78 of Regulation No 207/2009 in conjunction with Rules 22 and 40 of Regulation No 2868/95.

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### **Action brought on 19 December 2016 — Xiaomi v EUIPO — Apple (MI PAD)**

**(Case T-893/16)**

(2017/C 046/29)

*Language in which the application was lodged: English*

#### **Parties**

*Applicant:* Xiaomi, Inc. (Beijing, China) (represented by: T. Raab and C. Tenkhoff, lawyers)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Apple Inc. (Cupertino, California, United States)

#### **Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Applicant

*Trade mark at issue:* EU word mark 'MI PAD' — Application for registration No 12 780 987

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the First Board of Appeal of EUIPO of 22 September 2016 in Case R 363/2016-1

#### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the other party to the proceedings before the Board of Appeal of EUIPO to pay the costs of the proceedings.

#### **Plea in law**

- Infringement of Article 8(1)(b) of Regulation No 207/2009.

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### **Action brought on 19 December 2016 — Air France v Commission**

**(Case T-894/16)**

(2017/C 046/30)

*Language of the case: French*

#### **Parties**

*Applicant:* Société Air France (Roissy-en-France, France) (represented by: R. Sermier, lawyer)

*Defendant:* European Commission