

11. Eleventh plea in law, alleging that the Commission violated the principles of legal certainty and non-retroactivity by ordering recovery of the alleged aid.
12. Twelfth plea in law, alleging a failure to conduct a diligent and impartial investigation.
13. Thirteenth plea in law, alleging a breach of Article 296 TFEU and Article 41(2)(c) of the Charter of Fundamental Rights of the European Union.
14. Fourteenth plea in law, alleging that the decision exceeds the Commission's competence under Article 107(1) TFEU.
 - The Commission has violated legal certainty by ordering recovery under an unforeseeable interpretation of State aid law; failed to examine all relevant evidence contrary to its obligation of due diligence; failed to reason the decision adequately; and exceeded its competence under Article 107 TFEU by attempting to redesign Ireland's corporate tax system.

Action brought on 20 December 2016 — Puma v EUIPO — Senator (TRINOMIC)

(Case T-896/16)

(2017/C 053/47)

Language in which the application was lodged: German

Parties

Applicant: Puma SE (Herzogenaurach, Germany) (represented by: M. Schunke, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Senator GmbH & Co. KGaA (Groß-Bieberau, Germany)

Details of the proceedings before EUIPO

Applicant for the trade mark at issue: Applicant

Trade mark at issue: EU word mark 'TRINOMIC' — Application No 12 697 074

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 19 October 2016 in Case R 70/2016-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order the defendant to pay the costs of the proceedings, including those incurred in the appeal proceedings.

Pleas in law

- Infringement of Article 8(1)(b) of Regulation No 207/2009;
 - Infringement of the principle of equal treatment and of the principle that the administration is bound by its own decisions.
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