

- annul the contested decision;
- order the defendant and, where appropriate, the intervener, to pay the costs of the present proceedings, as well as the costs incurred in the proceedings for a declaration of invalidity and the subsequent appeal proceedings before EUIPO.

Pleas in law

The pleas in law and main arguments are the same as those put forward in Case T-223/17.

Action brought on 19 April 2017 — Adapta Color v EUIPO — Coatings Foreign IP (Bio proof ADAPTA)

(Case T-225/17)

(2017/C 202/38)

Language in which the application was lodged: Spanish

Parties

Applicant: Adapta Color, SL (Peníscola, Spain) (represented by: G. Macías Bonilla, G. Marín Raigal and E. Armero Lavie, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Coatings Foreign IP Co. LLC (Wilmington, Delaware, United States)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: European Union figurative mark containing the word elements 'Bio proof ADAPTA' — European Union trade mark No 4 582 599

Procedure before EUIPO: Proceedings for a declaration of invalidity

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 6 February 2017 in Case R 311/2016-5

Form of order sought

The applicant claims that the Court should:

- uphold the present action in its entirety;
- annul the contested decision;
- order the defendant and, where appropriate, the intervener, to pay the costs of the present proceedings, as well as the costs incurred in the proceedings for a declaration of invalidity and the subsequent appeal proceedings before EUIPO.

Pleas in law

The pleas in law and main arguments are the same as those put forward in Case T-223/17.
