

4. Fourth plea in law, alleging infringement of Article 24 of the Staff Regulations, in particular in so far as the Appointing Authority failed to hear the applicant before rejecting the applicant's application for assistance.

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**Action brought on 31 January 2018 — Fashion Energy v EUIPO — Retail Royalty (1<sup>st</sup> AMERICAN)**

**(Case T-54/18)**

(2018/C 123/32)

*Language in which the application was lodged: English*

**Parties**

*Applicant:* Fashion Energy Srl (Milan, Italy) (represented by: T. Müller, F. Togo, lawyers)

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

*Other party to the proceedings before the Board of Appeal:* Retail Royalty Co. (Las Vegas, Nevada, United States)

**Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Applicant

*Trade mark at issue:* Application for EU figurative mark 1<sup>st</sup> AMERICAN — Application for registration No 8 622 078

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 15 November 2017 in Case R 693/2017-2

**Form of order sought**

The applicant claims that the Court should:

- stay proceedings pursuant to Art. 69(d) of the Rules of Procedure of the General Court until final and binding decision has been taken on the request for partial revocation against opposition mark EUTM 005066113;
- annul the contested decision;
- order EUIPO and the other party to pay the costs incurred by the Applicant.

**Pleas in law**

- Infringement of the principle of *audi alteram partem*;
- Infringement of Article 8(1)(b) of Regulation No 2017/1001.

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**Action brought on 6 February 2018 — Aeris Invest v SRB**

**(Case T-62/18)**

(2018/C 123/33)

*Language of the case: Spanish*

**Parties**

*Applicant:* Aeris Invest Sàrl (Luxembourg, Luxembourg) (represented by: R. Vallina Hoset, A. Sellés Marco, C. Iglesias Megías and A. Lois Perreau de Pinninck, lawyers)

*Defendant:* Single Resolution Board