

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Grupo Osborne, SA (El Puerto de Santa María, Spain)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant

Trade mark at issue: Application for EU figurative mark TORRO Grande Meat in Style — Application for registration No 14 744 452

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 20 December 2017 in Case R 1776/2017-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision in part where it dismisses the appeal against the decision of the Opposition division;
- order EUIPO and Grupo Osborne S.A. to bear the costs of ‘Torro Entertainment’ Ltd. in relation to the proceeding before the Court and in relation to the appeal and opposition proceedings.

Pleas in law

- Infringement of Article 8(1)(b) of Regulation No 2017/1001;
- Infringement of the duty to state reasons and of the duty of diligence.

Action brought on 6 February 2018 — Venezuela v Council

(Case T-65/18)

(2018/C 134/34)

Language of the case: English

Parties

Applicant: Bolivarian Republic of Venezuela (represented by: F. Di Gianni and L. Giuliano, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Regulation (EU) 2017/2063 of 13 November 2017 concerning restrictive measures in view of the situation in Venezuela, insofar as its provisions concern the Applicant; and
- order the Council to bear the costs of the proceedings.

Pleas in law and main arguments

In support of the action, the applicant relies on four pleas in law.

1. First plea in law, alleging that, by adopting the restrictive measures without previously informing the Applicant of its intention, and without previously hearing the position of the Applicant on the facts allegedly justifying the restrictive measures, the Council infringed the Applicant's right to be heard.
2. Second plea in law, alleging that the Council infringed its obligation to state the reasons and to provide sufficient evidence for the adoption of the restrictive measures.

3. Third plea in law, alleging that the Council committed a manifest error of assessment as concerns the facts on which the restrictive measures are based.
4. Fourth plea in law, alleging that the restrictive measures constitute unlawful countermeasures under customary international law.

Action brought on 29 January 2018 — Tsapakidou v Court of Justice

(Case T-66/18)

(2018/C 134/35)

Language of the case: English

Parties

Applicant: Argyro Tsapakidou (Berlin, Germany) (represented by: E. Kleani, lawyer)

Defendant: Court of Justice of the European Union

Form of order sought

The applicant claims that the Court should:

- annul the decision of the Court of Justice of 23 November 2017 (reference 20173939) rejecting the applicant's tender submitted in respect of the freelance translator contract notice 2017/S 002-001564 for the Greek language;
- order the defendant to bear the costs of the proceedings.

Pleas in law and main arguments

In support of the action, the applicant maintains that the contested decision breaches the general principles of EU law, according to which administrative acts must be sufficiently justified and state the principles on which they are based. It fails to meet these criteria. The applicant argues, in particular, that the justification provided by the defendant was insufficient in light of Article 4.3.1. of the tender specifications. Moreover, the information provided to the applicant did not enable her to assess the validity of the result obtained in the test translation in question. She lacked information regarding the evaluation guidelines or criteria on the basis of which the contested decision was adopted.

Action brought on 9 February 2018 — CN v Parliament

(Case T-76/18)

(2018/C 134/36)

Language of the case: French

Parties

Applicant: CN (represented by: C. Bernard-Glanz and A. Tymen, lawyers)

Defendant: European Parliament

Form of order sought

- Declare this application admissible;
- Order the defendant to produce the findings of the APA Committee, the minutes of the testimony of the witnesses heard by the APA Committee and the file sent to the President of the European Parliament under Article 10 of the internal rules of the APA Committee;