

6. Sixth plea in law, alleging infringement of the principle of legitimate expectations.
7. Seventh plea in law, alleging infringement of the Work instructions and the duty of care.

The applicant relies on a single plea in law as regards the decision not to promote her, alleging infringement of the decision of 22 April 2008 concerning the career of temporary staff and assignment to a post carrying a higher grade than that at which they were engaged, a manifest error of assessment and infringement of the principle of non-discrimination.

Action brought on 28 May 2018 — VI.TO. v EUIPO — Bottega (Shape of a golden bottle)

(Case T-324/18)

(2018/C 259/61)

Language in which the application was lodged: Italian

Parties

Applicant: Vinicola Tombacco (VI.TO.) Srl (Trebaseleghe, Italy) (represented by: L. Giove, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Sandro Bottega (Colle Umberto, Italy)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: European Union three-dimensional mark (Shape of a golden bottle) – European Union trade mark No 11 531 381

Procedure before EUIPO: Proceedings for a declaration of invalidity

Contested decision: Decision of the First Board of Appeal of EUIPO of 14 March 2018 in Case R 1036/2017-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

Pleas in law

- Incorrect assessment of the ground for refusal under Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Incorrect assessment of the ground for refusal under Article 7(1)(e)(i), (ii) and (iii) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 31 May 2018 — Szécsi and Somossy v Commission

(Case T-331/18)

(2018/C 259/62)

Language of the case: German

Parties

Applicants: István Szécsi (Szeged, Hungary) and Nóra Somossy (Szeged) (represented by: D. Lazar, lawyer)