

Form of order sought

The applicant claims that the General Court should:

- Declare that the Single Resolution Board has incurred non-contractual liability and order it to repair the damage suffered by the applicant as a result of both its actions and omissions which deprived the applicant of the BANCO POPULAR ESPANOL, S.A. shares she owned;
- Order the Board to pay the following amounts to the applicant as compensation for the pecuniary and non-pecuniary damage suffered ('the amount due'):
 - As compensation for pecuniary damage, the total sum of EUR 160 558,41 in respect of the redemption of shares in Banco Popular; and
 - As compensation for non-pecuniary damage, a sum of up to EUR 160 558,41 or such amount as the General Court shall see fit to award.
- Increase the amount due with corresponding compensatory interest, as of 7 July 2017 until the date of delivery of judgment disposing of the present case;
- Increase the amount due with corresponding default interest as of the date of delivery of judgment in the present case until its payment in full of the amount due, at the rate set by the European Central Bank (ECB) for main refinancing operations, increased by two percentage points;
- Order the Board to pay the costs.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those relied upon in Case T-659/17, *Vallina Fonseca v Single Resolution Board* (OJ 2017 C 424, p. 42).

Action brought on 2 July 2018 — mobile.de v EUIPO — Droujestvo S Ogranichena Otgovornost 'Rezon' (mobile.ro)

(Case T-412/18)

(2018/C 294/75)

Language in which the application was lodged: German

Parties

Applicant: mobile.de GmbH (Dreilinden, Germany) (represented by: T. Lührig, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Droujestvo S Ogranichena Otgovornost 'Rezon' (Sofia, Bulgaria)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: EU figurative mark mobile.ro — EU trade mark No 8 838 542

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 29 March 2018 in Case R 111/2015-1

Form of order sought

The applicant claims that the Court should:

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

Pleas in law

- Infringement of Article 18(1)(a), in conjunction with Article 64(2) and (3), of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 19(2) and Article 10(3) of Commission Delegated Regulation (EU) 2018/625, in conjunction with Article 64(2) and (3) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 60(1)(a), in conjunction with Article 8(1)(b) and 8(2)(a)(ii), of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 4(3) TEU, in conjunction with the legal principle laid down in Article 59(1)(b) of Council Regulation (EC) No 207/2009 and Article 61(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 4 July 2018 — Portigon v SRB**(Case T-413/18)**

(2018/C 294/76)

*Language of the case: German***Parties**

Applicant: Portigon AG (Düsseldorf, Germany) (represented by: D. Bliesener and V. Jungkind, lawyers)

Defendant: Single Resolution Board (SRB)

Form of order sought

The applicant claims that the Court should:

- annul the defendant's decision of 12 April 2018 concerning the calculation of the ex-ante contributions to the Single Resolution Fund for 2018 (SRB/ES/SRF/2018/03) in so far as the decision concerns the applicant;
- order the defendant to pay the costs of the proceedings.

Pleas in law and main arguments

In support of the action, the applicant relies on seven pleas in law which are, in essence, identical or similar to the pleas in law relied on in Case T-420/17, *Portigon v SRB*.⁽¹⁾

⁽¹⁾ OJ 2017 C 277, p. 56.
