

- The European Commission did not explain how it assessed the evidence or for what reason it did not take into consideration the factual and legal circumstances communicated to it by the applicant, or why it based its decision to reject the complaint solely on assertions taken from the written observations of the company against which the complaint was directed.

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**Action brought on 6 September 2018 — Wanda Films and Wanda Visión v EUIPO — Dalian Wanda Group Co. (WANDA FILMS)**

**(Case T-533/18)**

(2018/C 399/61)

*Language of the case: English*

**Parties**

*Applicants:* Wanda Films, SL (Pozuelo de Alarcón, Spain) ans Wanda Visión, SA (Pozuelo de Alarcón) (represented by: C. Planas Silva, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Dalian Wanda Group Co. Ltd (Dalian, China)

**Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Wanda Films, SL

*Trade mark at issue:* Application for European Union word mark WANDA FILMS — Application for registration No 13 912 829

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 26 June 2018 in Case R 401/2017-5

**Form of order sought**

The applicant claims that the Court should:

- admit the present application, the arguments and documents (including the ones presented with this application and the ones presented by the applicant during the opposition and appeal proceedings);
- override the contested decision;
- issue a decision that admits the registration of the trade mark defended by the applicant with the present application.

**Plea in law**

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.
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