

**Action brought on 28 November 2018 — Air Liquide Deutschland v Commission****(Case T-706/18)**

(2019/C 35/39)

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

*Applicant:* Air Liquide Deutschland GmbH (Düsseldorf, Germany) (represented by: M. Kachel and D. Fouquet, lawyers)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the Court should:

- annul in full the defendant's Decision SA.34045 (2013/C) (ex 2012/NN) of 28 May 2018 relating to Ref. C(2018) 3166 in respect of the years 2012 and 2013;
- in the alternative, annul the defendant's Decision SA.34045 (2013/C) (ex 2012/NN) of 28 May 2018 relating to Ref. C(2018) 3166 insofar as it orders that, in respect of the years 2012 and 2013, baseload consumers with at least 7 000 hours of full use per year repay more than 20 % of published network charges, baseload consumers with at least 7 500 hours of full use per year repay more than 15 % of published network charges and baseload consumers with at least 8 000 hours of full use per year repay more than 10 % of published network charges;
- order the defendant to pay the costs, including lawyers' fees and travel expenses.

**Pleas in law and main arguments**

In support of the action, the applicant relies on three pleas in law which are, in essence, either identical or similar to the pleas in law relied on in Case T-693/18, *ZY v Commission*.

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**Action brought on 27 November 2018 — Wyld v EUIPO — Kaufland Warenhandel (wyld)****(Case T-711/18)**

(2019/C 35/40)

*Language in which the application was lodged: German***Parties**

*Applicant:* Wyld GmbH (Munich, Germany) (represented by: M. Douglas, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Kaufland Warenhandel GmbH & Co. KG

**Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Applicant

*Trade mark at issue:* European Union word mark 'wyld' — Application for registration No 14 525 562

*Procedure before EUIPO: Opposition proceedings*

*Contested decision: Decision of the Second Board of Appeal of EUIPO of 24 September 2018 in Case R 2621/2017-2*

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision and to allow the application for registration of the European Union trade mark No 14 525 562 'wyld', which has so far been refused;
- order EUIPO to pay the costs.

**Pleas in law**

- Infringement of Article 47(2) of Regulation (EU) No 2017/1001 of the European Parliament and of the Council;
  - Infringement of Article 8(1)(b) of Regulation (EU) No 2017/1001 of the European Parliament and of the Council.
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