

Plea in law

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

Action brought on 20 December 2018 — Oakley v EUIPO — Xuebo Ye (Representation of a discontinuous ellipse)**(Case T-744/18)**

(2019/C 65/58)

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

Applicant: Oakley (Foothill Ranch, California, United States) (represented by: E. Ochoa Santamaría and I. Aparicio Martínez, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Xuebo Ye (Wenzhou, China)

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 figurative mark (Representation of a discontinuous ellipsis) — Application for registration No 13 088 191

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 22 October 2018 in Case R 692/2018-1

Form of order sought

The applicant claims that the Court should:

- declare the application admissible, together with all the associated documents;
- rule that the evidence offered may be submitted;
- grant the application, annulling the contested decision;
- order EUIPO to pay the costs.

Pleas in law

Infringement of Article 8(1)(b) and Article 72(6) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 21 December 2018 — Daimler v EUIPO (ROAD EFFICIENCY)**(Case T-749/18)**

(2019/C 65/59)

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

Applicant: Daimler AG (Stuttgart, Germany) (represented by: P. Kohl, lawyer)