

Request for an opinion submitted by the European Parliament pursuant to Article 218(11) TFEU**(Opinion 1/15)**

(2015/C 138/32)

*Language of the case: all the official languages***Applicant**

European Parliament (represented by: F. Drexler, A. Caiola and D. Moore, Agents)

Questions submitted to the Court

- Is the envisaged agreement ⁽¹⁾ compatible with the provisions of the Treaties (Article 16 TFEU) and the Charter of Fundamental Rights of the European Union (Articles 7, 8 and Article 52(1)) as regards the right of individuals to protection of personal data?
- Do Articles 82(1)(d) and 87(2)(a) TFEU constitute the appropriate legal basis for the act of the Council concluding the envisaged agreement or must that act be based on Article 16 TFEU?

⁽¹⁾ Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data.

**Request for a preliminary ruling from the Rayonen sad Sofia (Municipal Court Sofia) (Bulgaria)
lodged on 26 September 2014 — Romyana Asenova Petrus v Republic of Bulgaria****(Case C-451/14)**

(2015/C 138/33)

*Language of the case: Bulgarian***Referring court**

Rayonen sad Sofia

Parties to the main proceedings*Applicant:* Romyana Asenova Petrus*Defendant:* Republic of Bulgaria

By order of 5 February 2015, the Court ruled that it manifestly lacked jurisdiction to answer the question referred by the Rayonen sad Sofia (Bulgaria)

Appeal brought on 14 November 2014 by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) against the judgment delivered on 3 September 2014 in Case T-686/13, Unibail v OHIM**(Case C-512/14 P)**

(2015/C 138/34)

*Language of the case: French***Parties***Appellant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (represented by: A. Folliard-Monguiral, acting as Agent)*Other party to the proceedings:* Unibail Management

Form of order sought

The appellant claims that the Court should:

- Set aside the judgment under appeal,
- Rule on the dispute pursuant to the second sentence of the first paragraph of Article 61 of the Statute of the Court of Justice, and
- Order the applicant before the General Court to pay the costs incurred by OHIM.

Pleas in law and main arguments

The appellant raises a single ground of appeal in support of its appeal. OHIM submits that the General Court infringed the first sentence of Article 75 of Council Regulation (EC) No 207/2009⁽¹⁾ of 26 February 2009 on the Community trade mark, read in conjunction with Article 7(1)(b) of the same regulation. The General Court misconstrued not only the scope of the concept of general reasoning, but also its own case-law. Finally, the appellant criticises the General Court for having reversed the burden of proof.

⁽¹⁾ OJ 2009 L 78, p. 1.

Appeal brought on 14 November 2014 by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) against the judgment of the General Court (Third Chamber) delivered on 3 September 2014 in Case T-687/13 Unibail v OHIM

(Case C-513/14 P)

(2015/C 138/35)

Language of the case: French

Parties

Appellant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (represented by: A. Folliard-Monguiral, acting as Agent)

Other party to the proceedings: Unibail Management

Form of order sought

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⁽¹⁾ OJ 2009 L 78, p. 1.
