Form of order sought

The applicant claims that the Court should:

— Annul the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 6 March 2014 in Case R 1223/2013-1;

— Declare that the provisions of Article 7(1)(b) and Article 7(2) of Regulation No 207/2009 do not preclude the publication of the mark applied for;

— Refer application No 011 427 507 back to the defendant so that the registration procedure may be resumed;

— Order the defendant to pay the costs, including the costs in respect of the appeal proceedings.

Pleas in law and main arguments

Community trade mark concerned: the figurative mark including the word element 'Deluxe' for goods and services in Classes 5, 29, 30, 31, 32 and 33 — Community trade mark application No 11 427 507

Decision of the Examiner: the application was rejected

Decision of the Board of Appeal: the appeal was dismissed

Pleas in law: Infringement of Article 7(1)(b) of Regulation No 207/2009

Action brought on 19 May 2014 — Quanzhou Wouxun Electronics v OHIM Locura Digital (WOUXUN)

(Case T-345/14)

(2014/C 235/41)

Language in which the application was lodged: French

Parties

Applicant: Quanzhou Wouxun Electronics Co. Ltd (Quanzhou, China) (represented by: A. Sebastião and J. Pimenta, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Other party to the proceedings before the Board of Appeal: Locura Digital, SL (Granollers, Spain)

Form of order sought

The applicant claims that the Court should:

— Annul the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 17 February 2014 in Case R 407/2013-4;

— Order OHIM to refuse to grant registration of the Community trade mark No 10 072 478 'WOUXUN' in full

— Order Locura Digital, SL to bear the costs of the proceedings.

Pleas in law and main arguments

Applicant for a Community trade mark: Locura Digital, SL

Community trade mark concerned: Word mark WOUXUN for goods and services in Classes 9, 39 and 42 — Application for Community trade mark No 10 072 478

Proprietor of the mark or sign cited in the opposition proceedings: Quanzhou Wouxun Electronics Co. Ltd

Mark or sign cited in opposition: Word marks WOUXUN for goods and services in Classes 9, 35 and 38

Decision of the Opposition Division: The opposition was rejected in part

Decision of the Board of Appeal: Appeal dismissed

Pleas in law: Infringement of Article 8(1)(b) of Regulation No 207/2009

Action brought on 30 May 2014 — Europower v Commission

(Case T-383/14)

(2014/C 235/42)

Language of the case: Italian

Parties

Applicant: Europower SpA (Milan, Italy) (represented by: G. Cocco and L. Salomoni, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

— annul the decision rejecting, in favour of another tenderer, the tender submitted by Europower SpA in the call for tenders for the construction of a gas-turbine tri-generation power plant and the associated maintenance;

— annul the decision relating to the characteristics and advantages of the selected tender;

— annul the decision refusing to provide a copy of the documentation requested by the applicant by application of 7 April 2014 and make any orders which are accordingly necessary directing that the documentation be provided;

— annul the additional refusal to provide access, issued following the confirmatory application;

— annul every consequent, intended or related measure, including even measures as yet unknown, and, in particular, annul the tender evaluation reports, any contract entered to with the successful tenderer, the verifications as to whether the successful tenderer satisfied the requirements as declared, all unknown measures, subject to the pleas being supplemented under Article 48(2) of the Rules of Procedure of the General Court.

In the alternative:

— annul in part the call for tenders;

— annul in part the administrative annex to the call for tenders;

— lastly, order the Commission to pay compensation for the harm caused, to the extent determined in the course of the proceedings.

Pleas in law and main arguments

The present action is brought against the decision rejecting the tender submitted by the applicant in the same tendering procedure as that at issue in Case T-355/14 *STC SpA* v *Commission*.

In support of the action, the applicant relies on five pleas in law:

First plea: infringement of essential procedural requirements; breach of the principles of equal treatment under Article 148 of Regulation No 1268/2012 [1]: infringement of Article 113 of Regulation No 966/2012 and infringement of the tendering procedure rules; together with the existence, in the present case, of a misuse of powers.