

- In the further alternative, on the basis of infringement of the adversarial principle;
- In the further alternative, on the basis of the insufficient statement of reasons of the decision of 26 June 2014;
- In the further alternative, on the basis of infringement of the reasonable time principle affecting the exercise of the rights of the defence;
- In the further alternative, on the basis of infringement of the principle of acquired right;
- Reserve to the applicant all other rights, entitlements, pleas and actions to be claimed;
- Order the defendant to pay all the costs of the instance.

Pleas in law and main arguments

In support of the action, the applicant relies on six pleas in law.

1. First plea in law, alleging a formal irregularity in the contested decision of 26 June 2014, since it was not signed by the President of the Parliament in accordance with the internal rules of the European Parliament.
2. Second plea in law, alleging infringement of the rights of the defence of the applicant, since the decision of 17 July 1996 which served as the basis for the contested decision of 26 June 2014 was not published, in breach of Article 28 of the Rules of Procedure.
3. Third plea in law, alleging infringement of the adversarial principle.
4. Fourth plea in law, alleging an insufficient statement of reasons of the contested decision.
5. Fifth plea in law, alleging infringement of the reasonable time principle, since the Parliament waited eight years before beginning the recovery proceedings against the applicant.
6. Sixth plea in law, alleging infringement of the principle of acquired right, since the contested decision calls into question the pension rights which the applicant acquired on 3 August 1994.

Action brought on 7 August 2014 — Zuffa v OHIM (ULTIMATE FIGHTING CHAMPIONSHIP)

(Case T-590/14)

(2014/C 351/29)

Language of the case: English

Parties

Applicant: Zuffa, LLC (Las Vegas, United States) (represented by: S. Malynicz, Barrister, K. Gilbert and C. Balme, Solicitors)

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

Form of order sought

The applicant claims that the Court should:

- Annul the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 19 May 2014 given in Case R 1425/2013-2.

Pleas in law and main arguments

Community trade mark concerned: The word mark 'ULTIMATE FIGHTING CHAMPIONSHIP' for goods and services in Classes 9, 16, 28 and 41

Decision of the Examiner: Partially rejected the CTM application

Decision of the Board of Appeal: Dismissed the appeal

Pleas in law: Infringement of Articles 7(1)(b),(c) and 7(2) CTMR.

Action brought on 8 August 2014 — BSH v OHIM (PerfectRoast)

(Case T-591/14)

(2014/C 351/30)

Language of the case: German

Parties

Applicant: BSH Bosch und Siemens Hausgeräte GmbH (Munich, Germany) (represented by S. Biagosch, lawyer)

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

Form of order sought

The applicant claims that the Court should:

- annul the decision of the Fifth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 16 June 2014 in Case R 359/2014-5;
- order OHIM to bear its own costs and pay the costs incurred by the applicant.

Pleas in law and main arguments

Community trade mark concerned: the word mark 'PerfectRoast' for goods in Classes 7 and 11 — Community trade mark registration No 12 173 902

Decision of the Examiner: Rejection of the application for registration

Decision of the Board of Appeal: Dismissal of the appeal

Pleas in law:

- Infringement of Article 7(1)(c) of Regulation No 207/2009;
- Infringement of Article 7(1)(c) of Regulation No 207/2009;
- Infringement of Article 75 of Regulation No 207/2009.

Action brought on 14 August 2014 — Fútbol Club Barcelona v OHIM — Kule (KULE)

(Case T-614/14)

(2014/C 351/31)

Language in which the application was lodged: English

Parties

Applicant: Fútbol Club Barcelona (Barcelona, Spain) (represented by: J. Carbonell Callicó, lawyer)

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

Other party to the proceedings before the Board of Appeal: Kule LLC (New York, United States)