

Defendant: European Union Intellectual Property Office (represented by: L. Rampini, acting as Agent)

Other party to the proceedings before the Board of Appeal of EUIPO intervening before the General Court: Cyrus Wellness Consulting GmbH (Berlin, Germany) (represented by: A. Wulff and U. Hildebrandt, lawyers)

Re:

Action brought against the decision of the Second Board of Appeal of EUIPO of 12 June 2015 (Joined Cases R 1937/2014-2 and R 1564/2014-2), relating to opposition proceedings between Cyrus Wellness Consulting GmbH and LG Electronics, Inc.

Operative part of the order

1. There is no longer any need to adjudicate on the action.
2. LG Electronics, Inc., is ordered to bear its own costs and those incurred by the European Union Intellectual Property Office (EUIPO) and Cyrus Wellness Consulting GmbH.

⁽¹⁾ OJ C 371, 9.11.2015.

Order of the General Court of 27 March 2017 — Frank v Commission

(Case T-603/15) ⁽¹⁾

(Action for annulment — Horizon 2020 Framework Programme for Research and Innovation — Calls for proposals and related activities under the ERC Work Programme 2015 — Decision of the ERCEA declaring the proposal submitted by the applicant ineligible — Implied decision of the Commission rejecting the administrative appeal relating to the decision of the ERCEA — Incorrect designation of the defendant — Inadmissibility)

(2017/C 178/25)

Language of the case: German

Parties

Applicant: Regine Frank (Bonn, Germany) (represented by: initially W. Trautner, subsequently by E. Niitväli and M. Reysen, then by E. Niitväli, M. Reysen and S. Wachs, and finally S. Conrad, lawyers)

Defendant: European Commission (represented by: R. Lyal and B. Conte, acting as agents)

Re:

Application based on Article 263 TFEU seeking the annulment of the decision of the European Research Council Executive Agency (ERCEA) of 5 June 2015 relating, in the context of the 'ERC starting grant' programme, to proposal No 680151 of the applicant — which was not given a positive evaluation during step 1 and was not admitted to step 2 of the evaluation — and the Commission's implied decision rejecting the applicant's administrative appeal pursuant to Article 22 (1) of Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes (OJ 2003 L 11, p. 1).

Operative part of the order

1. The action is dismissed as inadmissible.
2. Ms Regine Frank and the European Commission shall bear their own costs.

⁽¹⁾ OJ C 48, 8.2.2016.