

**Pleas in law and main arguments**

In support of the action, the applicant relies on a single plea in law, alleging breach of Article 191 of Regulation (EC) No 1234/2007 <sup>(1)</sup>, because of the Commission's refusal to extend the deadline by which the Greek part of the food distribution programme for the most deprived people in the Community was to be implemented.

<sup>(1)</sup> Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ 2007 L 299, p. 1).

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**Action brought on 8 January 2015 — Leopard v OHIM — Smart Market (LEOPARD true racing)****(Case T-7/15)**

(2015/C 081/31)

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

*Applicant:* Leopard SA (Howald, Luxembourg) (represented by: P. Lê Dai, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Smart Market, SLU (Alcantarilla, Spain)

**Details of the proceedings before OHIM**

*Proprietor of the trade mark at issue:* Applicant

*Trade mark at issue:* Community figurative mark containing the word elements 'LEOPARD true racing' — Application for registration No 10 139 202

*Procedure before OHIM:* Opposition proceedings

*Contested decision:* Decision of the First Board of Appeal of OHIM of 2 October 2014 in Case R 1866/2013-1

**Form of order sought**

The applicant claims that the Court should:

- annul in part the contested decision;
- order OHIM to pay the costs.

**Plea in law**

- Infringement of Article 8(1)(b) of Regulation No 207/2009.

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**Action brought on 13 January 2015 — Banco Santander and Santusa v Commission****(Case T-12/15)**

(2015/C 081/32)

*Language of the case: Spanish***Parties**

*Applicants:* Banco Santander, SA (Santander, Spain) and Santusa Holding, SL (Boadilla del Monte, Spain) (represented by: J. Buendía Sierra, E. Abad Valdenebro, R. Calvo Salinero and J. Panero Rivas, lawyers)

*Defendant:* European Commission

**Form of order sought**

The applicants claim that the General Court should:

- admit and uphold the grounds for annulment set out in this application;
- annul Article 1 of the contested decision in so far as it declares that the new administrative interpretation of Article 12 TRLIS [texto refundido de la Ley del Impuesto sobre Sociedades (consolidated version of the Spanish law on corporate tax)] adopted by the Spanish administration must be regarded as State aid which is incompatible with the internal market;
- annul Article 4.1 of the contested decision in so far as it requires the Kingdom of Spain to put an end to the alleged aid scheme as described in Article 1;
- annul parts 2, 3, 4 and 5 of Article 4 of the contested decision in so far as they require the Kingdom of Spain to recover the amounts considered by the Commission to be State aid;
- in the alternative, limit the scope of the recovery obligation imposed on the Kingdom of Spain in Article 4.2 of the contested decision in the same terms as in the First and Second Decisions; and
- order to the Commission to pay the costs.

**Pleas in law and main arguments**

The pleas in law and principal arguments are similar to those put forward in Case T-826/14 *Spain v Commission*.

The applicants claim, in particular, that the Commission erred in law in the legal classification of the measure as State aid, in the identification of the beneficiary of the measure and in the characterisation of the administrative interpretation as State aid distinct from that examined in the Commission's decisions, and that it breached the principles of the protection of legitimate expectations, of estoppel and of legal certainty.

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**Action brought on 13 January 2015 — Lufthansa AirPlus Servicekarten v OHIM — Mareea Comtur (airpass.ro)****(Case T-14/15)**

(2015/C 081/33)

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

*Applicant:* Lufthansa AirPlus Servicekarten GmbH (Neu Isenburg, Germany) (represented by: R. Kunze, Solicitor, and G. Württenberger, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* SC Mareea Comtur SRL (Deva, Romania)

**Details of the proceedings before OHIM**

*Applicant:* Other party to the proceedings before the Board of Appeal

*Trade mark at issue:* Community figurative mark containing the word elements 'airpass.ro' — Application for registration No 10 649 358

*Procedure before OHIM:* Opposition proceedings

*Contested decision:* Decision of the Fifth Board of Appeal of OHIM of 17 October 2014 in Case R 1918/2013-5