

6. Sixth plea in law: infringement of the applicant's right of defence and its right to effective judicial protection in the course of the national proceedings.
7. Seventh plea in law: infringement of the right to property in so far as the freezing of the applicant's funds unjustifiably infringes its right to property.

⁽¹⁾ Council Common Position of 27 December 2001 on the application of specific measures to combat terrorism (OJ 2001 L 344, p. 93).

Appeal brought on 8 June 2015 by Ángel Coedo Suárez against the judgment of the Civil Service Tribunal of 26 March 2015 in Case F-38/14, Coedo Suárez v Council

(Case T-297/15 P)

(2015/C 245/53)

Language of the case: French

Parties

Appellant: Ángel Coedo Suárez (Brussels, Belgium) (represented by S. Rodrigues and C. Bernard-Glanz, lawyers)

Other party to the proceedings: Council of the European Union

Form of order sought

The appellant claims that the Court should:

- declare the present appeal admissible;
- set aside the judgment of the European Union Civil Service Tribunal (First Chamber) of 26 March 2015 in *Coedo Suárez v Council* (F-38/14, EU:F:2015:25);
- grant the application for annulment made by the appellant at first instance;
- order the Council to pay the costs of both sets of proceedings.

Pleas in law and main arguments

In support of the appeal, the appellant relies on two pleas in law.

1. First plea in law, alleging a distortion of the facts and evidence, and an error of law, in that the Civil Service Tribunal held that the appointing authority had not committed a manifest error of assessment in finding that the appellant's ill health did not constitute an extenuating circumstance.
2. Second plea in law, alleging infringement of the duty to state reasons.

Action brought on 8 June 2015 — Atlas v OHIM (EFEKT PERLENIA)

(Case T-298/15)

(2015/C 245/54)

Language of the case: Polish

Parties

Applicant: Atlas sp. z. o.o. (Łódź, Poland) (represented by R. Rumpel, lawyer)

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

Details of the proceedings before OHIM

Trade mark at issue: Community figurative mark containing the word elements 'EFEKT PERLENIA' — Application for registration No 12 668 125.

Contested decision: Decision of the Fifth Board of Appeal of OHIM of 13 March 2015 in Case R 2352/2014-5.

Form of order sought

The applicant claims that Court should:

- declare the action to be well founded;
- set aside the contested decision in so far as it rejected the application for registration;
- amend the contested decision in such a way that the mark may be registered for all of the goods and services claimed;
- order OHIM to pay the costs.

Plea in law

- Breach of Article 7(1)(c) of Regulation No 207/2009.

Action brought on 1 June 2015 — Barqawi v Council

(Case T-303/15)

(2015/C 245/55)

Language of the case: French

Parties

Applicant: Ahmad Barqawi (Dubai, United Arab Emirates) (represented by: J.-P. Buyle and L. Cloquet, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Council Implementing Regulation (EU) No 2015/375 of 6 March 2015 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria, in so far as it concerns the applicant;
- annul Council Implementing Decision (CFSP) 2015/383 of 6 March 2015 implementing Decision 2013/255/CFSP concerning restrictive measures against Syria, in so far as it concerns the applicant;
- order the Council to pay all the costs of the proceedings, including those incurred by the applicant.

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 an infringement of the rights of the defence and of the right to a fair trial, since the applicant was never heard before the sanctions at issue were imposed.