

2. Orders Esso Raffinage and ECHA each to bear their own costs;
3. Orders the Federal Republic of Germany, The French Republic and the Kingdom of the Netherlands each to bear their own costs.

<sup>(1)</sup> OJ C 320, 28.9.2015.

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**Judgment of the General Court of 17 May 2018 — Lithuania v Commission**

**(Case T-205/16) <sup>(1)</sup>**

**(Cohesion Fund — Expenditure excluded from financing — Technical support for Cohesion Fund management in Lithuania — VAT — Article 11(1) and (3) of Regulation (EC) No 16/2003 — Reduction of financial assistance)**

(2018/C 231/24)

Language of the case: Lithuanian

**Parties**

*Applicant:* Republic of Lithuania (represented by: D. Kriauciūnas, R. Krasuckaitė and D. Stepanienė, acting as Agents)

*Defendant:* European Commission (represented by: B.-R. Killmann and J. Jokubauskaitė, acting as Agents)

**Re:**

Application based on Article 263 TFEU and seeking annulment of Commission Decision C(2016) 969 final of 23 February 2016, concerning the reduction in support from the Cohesion Fund for the project 'Technical assistance for Cohesion Fund management in the Republic of Lithuania', in so far as that decision provides for a reduction in support in the amount of EUR 1 37 864,61 corresponding to VAT expenses.

**Operative part of the judgment**

*The Court:*

1. Annuls Commission Decision C(2016) 969 final of 23 February 2016, concerning the reduction in support from the Cohesion Fund for the project 'Technical assistance for Cohesion Fund management in the Republic of Lithuania', in so far as that decision provides for a reduction in support in the amount of EUR 1 37 864,61 corresponding to VAT expenses;
2. Orders the European Commission to bear its own costs and to pay those incurred by the Republic of Lithuania.

<sup>(1)</sup> OJ C 251, 11.7.2016.

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**Judgment of the General Court of 16 May 2018 — Troszczynski v Parliament**

**(Case T-626/16) <sup>(1)</sup>**

**(Rules governing the payment of expenses and allowances to Members of the European Parliament — Parliamentary assistance allowance — Recovery of sums unduly paid — Power of the Secretary-General — Electa una via — Rights of the defence — Burden of proof — Obligation to state reasons — Political rights — Equal treatment — Misuse of power — Independence of the Members — Error of fact — Proportionality)**

(2018/C 231/25)

Language of the case: French

**Parties**

*Applicant:* Mylène Troszczynski (Noyon, France) (represented initially by: M. Ceccaldi, and subsequently by F. Wagner, lawyers)

*Defendant:* European Parliament (represented by: G. Corstens and S. Seyr, acting as Agents)

**Re:**

Application on the basis of Article 263 TFEU seeking the annulment of the decision of the Secretary-General of the Parliament of 23 June 2016 concerning the recovery from the applicant of a sum of EUR 56 554 wrongfully paid as parliamentary assistance allowance and the debit note relating thereto.

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders Ms Mylène Troszczynski to bear her own costs and to pay those incurred by the European Parliament, including those related to the interlocutory proceedings.

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<sup>(1)</sup> OJ C 383, 17.10.2016.

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**Judgment of the General Court of 15 May 2018 — Wirecard v EUIPO (mycard2go)**

(Case T-675/16) <sup>(1)</sup>

**(EU trade mark — Application for EU word mark mycard2go — Absolute ground for refusal — Descriptive character — Article 7(1)(b) and (c) of Regulation (EC) No 207/2009 (now Article 7(1)(b) and (c) of Regulation (EU) 2017/1001) — Obligation to state reasons — Article 75, first sentence, of Regulation No 207/2009 (now Article 94, first sentence, of Regulation 2017/1001))**

(2018/C 231/26)

*Language of the case: German*

**Parties**

*Applicant:* Wirecard AG (Aschheim, Germany) (represented by: A. Bayer, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO) (represented by: D. Hanf, acting as Agent)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 21 July 2016 (Case R 282/2016-4) concerning an application for registration of the word sign mycard2go as an EU trade mark.

**Operative part of the judgment**

*The Court:*

1. Annuls the decision of the Fourth Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 21 July 2016 (Case R 282/2016-4);
2. Dismisses the remainder of the application;
3. Orders EUIPO to bear its own costs and to pay those incurred by the applicant, including the costs necessarily incurred for the purposes of the appeal proceedings before EUIPO.

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<sup>(1)</sup> OJ C 410, 7.11.2016.