

— order EUIPO to pay the costs and to reimburse the appeal fees paid by the applicant to EUIPO, as the case may be.

Plea in law

— Infringement of Article (7)(1)(j) of Regulation No 207/2009.

Action brought on 4 May 2016 — Aristoteleio Panepistimio Thessalonikis v Commission

(Case T-207/16)

(2016/C 251/42)

Language of the case: Greek

Parties

Applicant: Aristoteleio Panepistimio Thessalonikis (Thessaloniki, Greece) (represented by: V. Christianos, lawyer)

Defendant: European Commission

Form of order sought

The applicant claims that the General Court should:

- annul the decision to exclude the applicant;
- annul the decision to register the applicant in and activate the Early Warning System and/or the Early Detection and Exclusion System, and
- order the defendant to pay the applicant's costs.

Pleas in law and main arguments

By this action, the applicant seeks the annulment, first, of the decision of the competent authorising officer and/or the competent contracting authority with respect to the exclusion of the applicant and, second, of the decision of the competent authorising officer and/or the competent contracting authority whereby registration was applied for or effected, and the exclusion warning activated by the Commission, with respect to the applicant, in the Early Warning System and or in the Early Detection and Exclusion System which is operated by the European Commission.

The applicant submits that the contested acts should be annulled for the following reasons:

1. First, infringement of an essential procedural requirement.
2. Second, infringement of the provisions of Decision 2014/792/EU ⁽¹⁾ with respect to the Early Warning System and Regulation 2015/1929 ⁽²⁾ with respect to the Early Detection and Exclusion System, the right to a hearing and the principle of proportionality.

3. Third, infringement of the general principles of good administration and transparency.

⁽¹⁾ 2014/792/EU: Commission Decision of 13 November 2014 on the Early Warning System to be used by authorising officers of the Commission and by the executive agencies (OJ 2014 L 329, p. 68)

⁽²⁾ Regulation (EE, Euratom) 2015/1929 of the European Parliament and of the Council of 28 October 2015 amending Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union (OJ 2015 L 286, p. 1)

Action brought on 4 May 2016 — Cop v EUIPO — Conexa (AMPHIBIAN)

(Case T-215/16)

(2016/C 251/43)

Language in which the application was lodged: German

Parties

Applicant: Cop Vertriebs-GmbH (Aresing, Germany) (represented by: H. Hofmann, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Conexa LLC (Wilmington, Delaware, United States)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: International registration designating the European Union in respect of the mark 'AMPHIBIAN' — International registration designating the European Union No 359 251

Procedure before EUIPO: Proceedings for a declaration of invalidity

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 7 March 2016 in Case R 1984/2015-4

Form of order sought

The applicant claims that the Court should:

— annul or alter the contested decision;

— annul or alter the decision of the Cancellation Division of the European Union Intellectual Property Office (EUIPO) of 14 September 2015 in cancellation proceedings No 9736 C;

— order EUIPO to pay the costs;