

— order to whoever opposes this appeal to pay the court's costs.

Plea in law

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

Action brought on 25 July 2016 — Omnicom International Holdings v EUIPO — eBay (dA/tA/bA/y)

(Case T-393/16)

(2016/C 364/12)

Language in which the application was lodged: English

Parties

Applicant: Omnicom International Holdings, Inc. (New York, New York, United States) (represented by: D. Farnsworth, Solicitor)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: eBay, Inc. (San Jose, California, United states)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant

Trade mark at issue: Figurative mark containing the word elements '(dA/tA/bA/y)' — EU trade mark application No 12 354 015

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 17 May 2016 in Case R 872/2015-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to bear its own costs and pay the applicant's costs.

Plea in law

— Infringement of Article 8(5) of Regulation No 207/2009.

Action brought on 25 July 2016 — Omnicom International Holdings v EUIPO –eBay (DATABAY)

(Case T-394/16)

(2016/C 364/13)

Language in which the application was lodged: English

Parties

Applicant: Omnicom International Holdings, Inc. (New York, New York, United States) (represented by: D. Farnsworth, Solicitor)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: eBay, Inc. (San Jose, California, United States)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant

Trade mark at issue: EU word mark 'DATABAY' — EU trade mark application No 12 353 975

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 12 May 2016 in Case R 925/2015-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to bear its own and pay the applicant's costs.

Plea in law

- Infringement of Article 8(5) of Regulation No 207/2009.

Action brought on 22 July 2016 — Dogg Label v EUIPO — Chemoul (JAPRAG)
(Case T-406/16)
(2016/C 364/14)

Language in which the application was lodged: French

Parties

Applicant: Dogg Label (Marseille, France) (represented by: M. Angelier, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party before the Board of Appeal: Patrick Chemoul (Paris, France)

Details of the procedure before EUIPO

Proprietor of the mark at issue: the other party before the Board of Appeal

Mark at issue: EU word mark 'JAPRAG' — EU trade mark No 8 820 301

Proceedings before EUIPO: invalidity proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 13 May 2016 in Case R 2336/2015-2

Form of order sought

The applicant claims that the Court should:

- set aside the contested decision;