

Pleas in law and main arguments

In support of the action based on the grounds of article 272 TFUE, Epsilon considers that the findings raised by the auditors and endorsed by the European Commission which relate to the personnel costs declared for the performance of the BRISEIDE, SMART-ISLANDS and i-SCOPE projects are erroneous. More specifically, Epsilon argues that no irregularity were committed regarding the time recording system, the productive hours and hourly rate calculations, the lack of invoice for the owners' work and the fact that the agreements concluded with the in-house consultants had not been registered to the Tax Office. In any case, any minor errors regarding the performance of these contracts cannot be regarded as an error of a systematic nature.

Moreover, Epsilon contests the Commission's decision to suspend the payments for the performance of the EU funded projects i-LOCATE, eENV-Plus, GeoSmartCity and c-SPACE and considers that they are not legally founded.

Finally, Epsilon requests a financial compensation for the material and non-material suffered by Epsilon due to the Commission's decisions.

In support of the action based on the grounds of article 263 TFUE, Epsilon requests the General Court to annul the Commission's decision to register Epsilon in the Early Detection and Exclusion System database (EDES), due to the alleged potentially systematic nature of the errors committed in the performance of the abovementioned projects. The applicant considers that this decision breaches the principle of proportionality and the rights of the defence.

Action brought on 30 August 2016 — Lidl Stiftung v EUIPO — Amedei (For you)

(Case T-480/16)

(2016/C 402/59)

Language in which the application was lodged: English

Parties

Applicant: Lidl Stiftung & Co. KG (Neckarsulm, Germany) (represented by: A. Berger, M. Wolter, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Amedei Srl (Pontedera, Italy)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant

Trade mark at issue: EU figurative mark containing the word elements 'For you' — Application for registration No 12 267 571

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 28 April 2016 in Case R 851/2015-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision and reject Opposition No B 2 342 452 filed against the EUTM application No 12 267 571;
- order EUIPO to pay the costs of the proceedings;
- order the intervener to pay the costs of the proceedings before the EUIPO.

Plea in law

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

Action brought on 30 August 2016 — The Logistical Approach v EUIPO — Idea Groupe (Idealogistic)**(Case T-620/16)**

(2016/C 402/60)

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

Applicant: The Logistical Approach BV (Uden, the Netherlands) (represented by: R. Milchior, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Idea Groupe (Montoir de Bretagne, France)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: European Union figurative mark containing the word element 'Idealogistic'— Application for registration No 12 318 234

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 20/06/2016 in Case R 1435/2015-4

Form of order sought

The applicant claims that the Court should:

- principally, annul the contested decision;
- alternatively, amend the contested decision in that it wrongly confirmed the decision of the Opposition Division rejecting the registration of the mark 012318234 for the services 'Consultancy in the field of logistics, including route selection, storage facilities and selection of means of transport';
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 76 of Regulation No 207/2009;
- Infringement of Article 8(1)(b) of Regulation No 207/2009.

Action brought on 2 September 2016 — Przedsiębiorstwo Energetyki Ciepłej v ECHA**(Case T-625/16)**

(2016/C 402/61)

*Language of the case: Polish***Parties**

Applicant: Przedsiębiorstwo Energetyki Ciepłej sp. z o. o. (Grajewo, Poland) (represented by: T. Dobrzyński, lawyer)