

Forms of order sought

The applicants claim that the General Court should:

- annul the Parliament's *Guidelines on leave*, published on 21 March 2016;
- annul the decision of 13 June 2016 refusing to grant leave applied for by Mr Stéphane Grosjean;
- annul the decision of 12 April 2016 accepting Mrs Françoise Joostens' application for leave but including the days of leave applied for in the quota of 3.5 days;
- annul the decision of 2 June 2016 refusing to grant leave applied for by Mrs Françoise Joostens;
- in any event, order the defendant to pay the costs.

Pleas in law and main arguments

In support of the action, the applicants invoke six pleas in law.

1. First plea, alleging a complete failure to state reasons on the part of the defendant, in the light of the failure to respond to objections raised by the applicants against the Parliament's *Guidelines on leave*, published on 21 March 2016 ('the contested *Guidelines*').
2. Second plea, alleging that the adoption of the contested *Guidelines* by the Parliament was unlawful, as a result of infringement of the Staff Regulations and rights recognised by internal rules governing the management of leave, and infringement of the applicants' acquired rights.
 - Therefore, the two applicants addressees of the three individual contested decisions, respectively of 2 June 2016, 13 June 2016 and 12 April 2016, the first two decisions refusing to grant leave applied for by them, and the last decision accepting the application for leave made by one of them but including the days of leave applied for in the quota of 3,5 days, consider that those individual decisions invoke the same plea in law seeking annulment of those decisions.
3. Third plea, alleging a failure to consult the members of the Parliament staff during the adoption of the contested *Guidelines* by the latter, which amounts to an infringement of Article 27 of the Charter of Fundamental Rights of the European Union.
4. Fourth plea, alleging a failure to weigh the interests of the institution with those of the interpreters, disregard for the principle of proportionality, an abuse of law, an error of assessment and infringement of the principle of good administration and of the duty of care, committed by the defendant institution in adopting the contested *Guidelines*.
5. Fifth plea, alleging discrimination caused by the adoption of the contested *Guidelines* between interpreters and other officials and staff.
6. Sixth plea, alleging infringement of the principles of equality and non-discrimination, infringement of the principle of legal certainty and predictability as regards exceptions and special cases provided for by those *Guidelines*.

Action brought on 8 November 2016 — InvoiceAuction B2B v EUIPO (INVOICE AUCTION)

(Case T-789/16)

(2017/C 014/60)

Language of the case: German

Parties

Applicant: InvoiceAuction B2B GmbH (Frankfurt am Main, Germany) (represented by: C. Jonas, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: European Union figurative mark containing the word elements 'INVOICE AUCTION' — Application for registration No 13 821 095

Contested decision: Decision of the First Board of Appeal of EUIPO of 3 August 2016 in Case R 2201/2015-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs of the proceedings.

Plea in law

- Infringement of Article 7(1)(c) of Regulation No 207/2009;
- Infringement of Article 7(1)(b) of Regulation No 207/2009.

Action brought on 11 November 2016 — C & J Clark International v Commission

(Case T-790/16)

(2017/C 014/61)

Language of the case: English

Parties

Applicant: C & J Clark International Ltd (Somerset, United Kingdom) (represented by: A. Willems and S. De Knop, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- Declare the application admissible;
- Annul Commission Implementing Regulation (EU) 2016/1395 of 18 August 2016 reimposing a definitive anti-dumping duty and collecting definitely the provisional duty imposed on imports of certain footwear with uppers of leather originating in the People's Republic of China and produced by Buckingham Shoe Mfg Co. Ltd, Buildyet Shoes Mfg., DongGuan Elegant Top Shoes Co. Ltd, Dongguan Stella Footwear Co. Ltd, Dongguan Taiway Sports Goods Limited, Foshan City Nanhai Qun Rui Footwear Co., Jianle Footwear Industrial, Sihui Kingo Rubber Shoes Factory, Synfort Shoes Co. Ltd, Taicang Koton Shoes Co. Ltd, Wei Hao Shoe Co. Ltd, Wei Hua Shoe Co. Ltd, Win Profile Industries Ltd, and implementing the judgment of the Court of Justice in joined cases C-659/13 and C-34/14 (OJ L 225, p. 52);
- Order the Commission to pay the costs.