

**Action brought on 22 February 2017 — Devin v EUIPO — Haskovo (DEVIN)****(Case T-122/17)**

(2017/C 121/67)

*Language in which the application was lodged: English***Parties***Applicant:* Devin AD (Devin, Bulgaria) (represented by: B. Van Asbroeck, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* Haskovo Chamber of Commerce and Industry (Haskovo, Bulgaria)**Details of the proceedings before EUIPO***Proprietor of the trade mark at issue:* Applicant*Trade mark at issue:* EU word mark 'DEVIN' — EU trade mark No 9 408 865*Procedure before EUIPO:* Proceedings for a declaration of invalidity*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 2 December 2016 in Case R 579/2016-2**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- annul the Cancellation Division's decision dated 29 January 2016 in the case No 9 559;
- entirely or at least partially reject the Cancellation Applicant's application for invalidity of the EU trade mark 'DEVIN' No 9408865 for all the designated goods in class 32;
- order EUIPO to bear its own costs and pay those of the applicant.

**Pleas in law**

- Infringement of Article 52(1)(a) in conjunction with Article 7(1)(c) of Regulation No 207/2009;
- To the extent that the Board of Appeal has not infringed Article 7(1)(c), infringement of Article 7(3) of Regulation No 207/2009.

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**Action brought on 27 February 2017 — Consorzio IB Innovation v Commission****(Case T-126/17)**

(2017/C 121/68)

*Language of the case: Italian***Parties***Applicant:* Consorzio IB Innovation (Bentivoglio, Italy) (represented by: A. Masutti and P. Manzini, lawyers)*Defendant:* European Commission**Form of order sought**

The applicant claims that the Court should:

- declare that the Commission's interpretation and application of the CONTAIN and ICARGO Grant Agreements when accepting the auditor's report are incorrect in relation to all of the aspects highlighted in the action;