

— order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 75(1) of Regulation No 207/2009;
- Infringement of Rule 62(3) of Regulation (EC) No 2868/95 of 13 December 1995 implementing Council Regulation (EC) No 40/94 on the Community trade mark.

Action brought on 2 June 2017 — Daico International v EUIPO — American Franchise Marketing (RoB)

(Case T-356/17)

(2017/C 239/82)

Language in which the application was lodged: English

Parties

Applicant: Daico International BV (Amsterdam, Netherlands) (represented by: M. Kassner, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: American Franchise Marketing Ltd (London, United Kingdom)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: EU word mark 'RoB' — EU trade mark No 5 752 324

Procedure before EUIPO: Proceedings for a declaration of invalidity

Contested decision: Decision of the Second Board of Appeal of EUIPO of 21 March 2017 in Case R 1407/2016-2

Form of order sought

The applicant claims that the Court should:

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

Pleas in law

- Infringement of Article 75(1) of Regulation No 207/2009;
- Infringement of Rule 62(3) of Regulation (EC) No 2868/95 of 13 December 1995 implementing Council Regulation (EC) No 40/94 on the Community trade mark.

Action brought on 31 May 2017 — Mubarak/Council

(Case T-358/17)

(2017/C 239/83)

Language of the case: English

Parties

Applicant: Mohamed Hosni Elsayed Mubarak (Cairo, Egypt) (represented by: B. Kennelly, QC, J. Pobjoy, Barrister, G. Martin, M. Rushton and C. Enderby Smith, Solicitors)

Defendant: Council of the European Union