

Pleas in law and main arguments

In support of the action, the applicants rely, in essence, on a single plea in law, alleging that the contested acts are vaguely reasoned and significantly vitiated by manifest errors of assessment. According to the applicants, the restrictive measures adopted by the Council against them are unfounded in both fact and law. Moreover, the Council committed several irregularities, each capable of justifying the annulment of the contested acts.

Action brought on 24 August 2017 — Primart v EUIPO — Bolton Cile España (PRIMART Marek Łukasiewicz)

(Case T-584/17)

(2017/C 374/63)

Language in which the application was lodged: English

Parties

Applicant: Przedsiębiorstwo Produkcyjno-Handlowe ‘Primart’ Marek Łukasiewicz (Wołomin, Poland) (represented by: J. Skołodą, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Bolton Cile España, SA (Madrid, Spain)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant

Trade mark at issue: EU word figurative mark in colours red, white and dark blue, containing the word elements ‘Primart Marek Łukasiewicz’ — Application for registration No 13 682 299

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 22 June 2017 in Case R 1933/2016-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the intervener to pay the costs of the proceedings, including the costs incurred before the Board of Appeal.

Plea in law

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

Action brought on 2 August 2017 — Serra Noguera and Others v SRB

(Case T-592/17)

(2017/C 374/64)

Language of the case: Spanish

Parties

Applicants: Juan Carlos Serra Noguera (Sant Jordi de ses Salines, Spain) and 56 other applicants (represented by: R. García-Bragado Acín, lawyer)

Defendant: Single Resolution Board

Form of order sought

The applicants claim that the General Court should:

- acknowledge the filing of this action and take note of this APPLICATION FOR ANNULMENT of Decision SRB/EES/2017/08 of 7 June 2017 concerning the resolution of Banco Popular, as well as the valuation on which it is based;
- Given that it is practically impossible to reverse the implementation of that decision, declare that SRB is under an obligation to make good the damage caused to the applicants, which corresponds to the amount of their investment or the amount determined at the time of enforcement of the judgment.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those put forward in Cases T-478/17, *Mutualidad de la Abogacía and Hermandad Nacional de Arquitectos Superiores y Químicos v Single Resolution Board*, T-481/17, *Fundación Tatiana Pérez de Guzmán el Bueno and SFL v Single Resolution Board*, T-482/17, *Comercial Vascongada Recalde v Commission and Single Resolution Board*, T-483/17, *García Suárez and Others v Commission and Single Resolution Board*, T-484/17, *Fidesban and Others v Single Resolution Board*, T-497/17, *Sánchez del Valle and Calatrava Real State 2015 v Commission and Single Resolution Board*, and T-498/17, *Pablo Álvarez de Linera Granda v Commission and Single Resolution Board*.

Action brought on 31 August 2017 — Rubik's Brand v EUIPO — Simba Toys (Shape of a cube)

(Case T-601/17)

(2017/C 374/65)

Language in which the application was lodged: English

Parties

Applicant: Rubik's Brand Ltd (London, United Kingdom) (represented by: K. Szamosi and M. Borbás, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Simba Toys GmbH & Co. KG (Fürth, Germany)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: EU tridimensional mark (Shape of a cube) — EU trade mark No 162 784

Procedure before EUIPO: Proceedings for a declaration of invalidity

Contested decision: Decision of the First Board of Appeal of EUIPO of 19 June 2017 in Case R 452/2017-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and Simba Toys GmbH & Co. KG to pay the costs of the appeal proceedings and those of the proceedings before the General Court.

Pleas in law

- Infringement of Article 7(1)(e)(ii) of Regulation No 207/2009;
- Infringement of Article 65(6) of Regulation No 207/2009;