

**Form of order sought**

The applicant claims that the Court should:

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

**Plea in law**

- Infringement of Article 7(1)(b) and Article 4 of Regulation No 207/2009.

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**Action brought on 5 September 2017 — Italian Republic v Commission****(Case T-598/17)**

(2017/C 357/36)

*Language of the case: Italian***Parties**

*Applicant:* Italian Republic (represented by: G. Palmieri, acting as Agent and P. Pucciariello, Avvocato dello Stato)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the General Court should:

- annul, in so far as it is the subject matter of the present action, European Commission Implementing Decision No 2017/1144 of 26 June 2017, notified on the same date, on the exclusion from European Union financing of certain expenditure incurred by the Member States under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD);
- order the Commission to bear the costs.

**Pleas in law and main arguments**

In support of its action, the applicant relies on a single plea in law, alleging breach of Article 7(4) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy<sup>(1)</sup> and Article 31 of Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy.<sup>(2)</sup>

By that plea, the applicant challenges the application of the financial corrections imposed by the contested decision, in view of the inconsistency of the information.

The applicant also challenges the quantification of those financial corrections, in so far as the actual amount set is disproportionate and clearly illogical, being significantly higher than any damage potentially resulting from the conduct imputed to the Italian authorities.

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<sup>(1)</sup> OJ L 160, 26.6.1999, p. 103.

<sup>(2)</sup> OJ L 209, 18.8.2005, p. 1.

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**Action brought on 4 September 2017 — Spain v Commission****(Case T-602/17)**

(2017/C 357/37)

*Language of the case: Spanish***Parties**

*Applicant:* Kingdom of Spain (represented by: M. Sampol Pucurull and A. Gavela Llopis, agents)