

**Action brought on 20 September 2017 — Ferri v ECB**

(Case T-641/17)

(2017/C 382/70)

*Language of the case: Italian***Parties***Applicant:* Claudio Ferri (Rome, Italy) (represented by: A. Campagnola, lawyer)*Defendant:* European Central Bank**Form of order sought**

The applicant claims that the Court should declare that there has been a failure to carry out the supervisory duties initiated by the note of 24 March 2017 for which, following an exchange of correspondence, the competent department of the ECB stated that it was not required to make provision, claiming that the issue relates to both self-protection and supervisory duties with regard to the adoption of standards for monitoring the conduct of Italian banks.

**Pleas in law and main arguments**

In support of his action, the applicant claims that the European Central Bank has not performed the supervisory duties incumbent on it with reference to the following:

- Failure promptly to enact the provisions implementing Legislative Decree No 72 of 2015 and subsequently to apply Legislative Decree No 385 of 1993, which has been deemed to continue to apply, in respect of another activity following on from the aforementioned failure by Banca d'Italia to enact those implementing provisions.
- Failure to order Banca d'Italia to initiate, within the State system, an adaptation of the legislation governing litigation in relation to the application of penalties.
- Failure to monitor the suitability of the criteria for assessing the efficiency of the banking system, which are currently clearly framed in relation to very complex and highly-structured banking institutions, and give no indication that they are flexible or in fact suitable.
- Unreliability of the criteria for assessing the appropriateness of Banca di Credito Cooperativo di Frascati's activities, given that those criteria have clearly been designed and structured to provide an assessment of the appropriateness of a complex and highly-structured banking mechanism.

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**Action brought on 26 September 2017 — Eddy's Snack Company v EUIPO — Chocoladefabriken Lindt & Sprüngli (Eddy's Snackcompany)**

(Case T-652/17)

(2017/C 382/71)

*Language in which the application was lodged: German***Parties***Applicant:* Eddy's Snack Company GmbH (Lügde, Germany) (represented by: M. Decker, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* Chocoladefabriken Lindt & Sprüngli AG (Kilchberg, Switzerland)

**Details of the proceedings before EUIPO**

*Applicant for the trade mark at issue:* Applicant

*Trade mark at issue:* EU word mark 'Eddy's Snackcompany' — Application for registration No 14 363 931

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 11 July 2017 in Case R 1999/2016-4

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- definitively reject the other party's opposition to trade mark application No 14363931 'Eddy's Snackcompany' submitted by Eddy's Snack Company GmbH;
- order EUIPO to allow trade mark application No 14363931 'Eddy's Snackcompany' to proceed to registration for all designated goods;
- at the very least, order EUIPO to grant trade mark application No 14363931 'Eddy's Snackcompany' for all designated goods in Classes 29, 31 and 32;
- order the other party or EUIPO jointly or individually to pay the applicant's costs, disbursements and fees in the proceedings before the Court and in the opposition and appeal proceedings before EUIPO.

**Pleas in law**

- Infringement of Article 8(1)(b) of Regulation No 207/2009;
- Infringement of Article 74(1) of Regulation No 207/2009.

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**Action brought on 27 September 2017 — Maico Holding v EUIPO — Eico (Eico)**

**(Case T-668/17)**

(2017/C 382/72)

*Language in which the application was lodged: German*

**Parties**

*Applicant:* Maico Holding GmbH (Villingen-Schwenningen, Germany) (represented by: T. Krüger and D. Deckers, lawyers)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Eico A/S (Brønderslev, Denmark)

**Details of the proceedings before EUIPO**

*Applicant for the trade mark at issue:* Other party to the proceedings before the Board of Appeal

*Trade mark at issue:* EU trade mark application No 13 706 726