

Form of order sought

The parties claim that the Court should:

- annul the decision taken on 28 August 2017 for the European Aviation Safety Agency by its director, in the context of the contract entitled ‘EASA.2017.HVP.08: IT Application & Infrastructure Management Services — ITAIMS’ ...;
- consequently, annul the implied decision not to award the various framework contracts to the applicants;
- order the EASA to pay the entire costs of the proceedings.

Pleas in law and main arguments

In support of its action, the applicants rely on a single plea in law, alleging failure to state reasons in the contested decision, with a price which appears to be abnormally low.

Action brought on 9 November 2017 — Kim and Others v Council

(Case T-742/17)

(2018/C 013/43)

Language of the case: English

Parties

Applicants: Il-Su Kim (Pyongyang, North Korea), Song-Sam Kang (Hamburg, Germany), Chun-Sik Choe (Pyongyang), Kyu-Nam Sin (Pyongyang) and Chun-San Pak (Pyongyang) (represented by: M. Lester, QC, S. Midwinter, QC, T. Brentnall and A. Stevenson, solicitors)

Defendant: Council of the European Union

Form of order sought

The applicants claim that the Court should:

- annul Council Regulation 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No 329/2007, insofar as it applies to them;
- order the Defendant to pay the applicants' costs.

Pleas in law and main arguments

In support of the action, the applicants rely on six pleas in law.

1. First plea in law, alleging that the Defendant has failed to give adequate or sufficient reasons for including the Applicants.
2. Second plea in law, alleging that the Defendant has manifestly erred in considering that any of the criteria for listing in the contested measures were fulfilled in the Applicants' case; there is no factual basis for their inclusion.
3. Third plea in law, alleging that the Defendant has breached the Applicants' right to equal treatment.
4. Fourth plea in law, alleging that the Defendant has breached the Applicants' rights of defence by failing to provide them with the evidence on which the Defendant relies before re-listing the Applicants.

5. Fifth plea in law, alleging that the Defendant has breached data protection law.
6. Sixth plea in law, alleging that the Defendant has infringed, without justification or proportion, the Applicants' fundamental rights, including their right to protection of his property, business, and reputation.

Action brought on 9 November 2017 — Bischoff v EUIPO — Miroglio Fashion (CARACTÈRE)

(Case T-743/17)

(2018/C 013/44)

Language in which the application was lodged: French

Parties

Applicant: Bischoff GmbH (Muggensturm, Germany) (represented by: D. Régnier, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Miroglio Fashion Srl (Alba, Italy)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Miroglio Fashion Srl

Trade mark at issue: European Union word mark 'CARACTÈRE' — European Union trade mark No 7 061 922

Procedure before EUIPO: Proceedings for a declaration of invalidity

Contested decision: Decision of the First Board of Appeal of EUIPO of 20 July 2017 in Case R 328/2016-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision in that it dismissed the appeal of the company Bischoff seeking a declaration of invalidity of the mark No 007061922 for the goods and services in Classes 14, 18, 24, 25 and 35;
- order EUIPO and the company Miroglio Fashion to pay the costs.

Pleas in law

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

Order of the General Court of 14 November 2017 — Oy Karl Fazer v EUIPO — Kraft Foods Belgium Intellectual Property (MIGNON)

(Case T-437/17) ⁽¹⁾

(2018/C 013/45)

Language of the case: English

The President of the Ninth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 300, 11.9.2017.
