

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Husky of Tostock Ltd (Woodbridge, United Kingdom)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant

Trade mark at issue: EU figurative mark HUSKY in the colours of blue, black and white — Application for registration No 4 442 431

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 18 January 2018 in Case R 812/2017-1

Form of order sought

The applicant claims that the Court should:

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

Plea in law

- The Board of Appeal did not properly take into consideration arguments and evidence submitted by the applicant and, therefore, it incorrectly considered what earlier rights the opposition was based on.

Action brought on 9 February 2018 — CH v Parliament

(Case T-83/18)

(2018/C 134/40)

Language of the case: French

Parties

Applicant: CH (represented by: C. Bernard-Glanz and A. Tymen, lawyers)

Defendant: European Parliament

Form of order sought

- Declare this application admissible;
- Order the defendant to produce the findings of the APA Committee, the minutes of the testimony of the witnesses heard by the APA Committee and the file sent to the President of the European Parliament under Article 10 of the internal rules of the APA Committee;
- Annul the contested decision and, in so far as necessary, the decision rejecting the claim;
- Order the defendant to pay EUR 68 500 in compensation for the applicant's various non-pecuniary losses;
- Order the defendant to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on two pleas in law.

1. First plea in law, alleging infringement of Article 41 of the Charter of Fundamental Rights of the European Union ('the Charter'), Article 24 of the Staff Regulations of Officials of the European Union ('the Staff Regulations') and of the obligation to state reasons, the principle of sound administration, the right to be heard and the rights of the defence, the duty of care, which vitiates the contested decision in this case, namely the decision of the European Parliament to reject the applicant's application for assistance.
2. Second plea in law, alleging a manifest error of assessment, infringement of Article 31 of the Charter, Article 12a of the Staff Regulations and Article 24 of the Staff Regulations and of the duty of care.

Action brought on 19 February 2018 — Gruppo Armonie v EUIPO (ARMONIE)**(Case T-88/18)**

(2018/C 134/41)

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

Applicant: Gruppo Armonie SpA (Casalgrande, Italy) (represented by: G. Medri, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: European Union word mark 'ARMONIE' — Application for registration No 16 430 068

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 15 December 2017 in Case R 2063/2017-5

Form of order sought

The applicant claims that the Court should:

— annul the contested decision.

Plea in law

— Infringement of Article 7(1)(b) and (c) of Regulation No 2017/1001.

Action brought on 19 February 2018 — Guiral Broto v EUIPO — Gastro & Soul (Café del Sol)**(Case T-89/18)**

(2018/C 134/42)

*Language in which the application was lodged: Spanish***Parties**

Applicant: Ramón Guiral Broto (Marbella, Spain) (represented by: J. de Castro Hermida, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Gastro & Soul GmbH (Hildesheim, Germany)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal