

Defendant: Council of the European Union

Form of order sought

- Annul Council Decision (CFSP) 2017/2282 of 11 December 2017 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo, in so far as the applicant remains at No 11 in Annex II to Decision 2010/788/CFSP and No 11 in Annex Ia to Regulation (EC) No 1183/2005;
- Rule that the provisions of Articles 3(2)(b) of Decision 2010/788/CFSP, as amended by Decision 2016/2231/CFSP, and 2b(1)(b) of Regulation [No] 1183/2005/EC are unlawful;
- Order the Council to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on four pleas in law, which are in essence identical or similar to those raised in Case T-163/18, *Amisi Kumba v Council*.

Action brought on 12 March 2018 — VJ v EEAS

(Case T-180/18)

(2018/C 161/86)

Language of the case: French

Parties

Applicant: VJ (represented by: N. de Montigny, lawyer)

Defendant: European External Action Service

Form of order sought

The applicant claims that the Court should:

- annul the calculation sheet forwarded to him by email of 22 June 2017 from the EEAS and, so far as necessary, the salary slip through which the payment of the education allowance for his children was/will be granted;
- order the defendant to pay all the costs of the proceedings.

Pleas in law and main arguments

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

1. First plea in law, putting forward an objection of illegality, in so far as the contested decision, the note of 15 April 2016 on which it is based and the EEAS's *Guidelines* infringe the Staff Regulations of Officials and Annex X thereto.
2. Second plea in law, alleging the illegality of the individual decision at issue. There are five parts to that plea.
 - First part, alleging infringement of the principles of diligence, of the protection of legitimate expectations, of legal certainty and of sound administration and of the applicant's acquired rights.

- Second part, alleging failure by the EEAS to comply with its obligations, its poor administration, and infringement of the principle of legal certainty and of the applicant's legitimate expectations.
- Third part, alleging infringement of the right to found a family and the right to education.
- Fourth part, alleging infringement of the principles of equal treatment and non-discrimination.
- Fifth part, alleging that in adopting the measure the EEAS failed to balance the interests involved and infringed the principle of proportionality.

Action brought on 9 March 2018 — Multifit Tiernahrungs v EUIPO (TAKE CARE)

(Case T-181/18)

(2018/C 161/87)

Language of the case: German

Parties

Applicant: Multifit Tiernahrungs GmbH (Krefeld, Germany) (represented by: N. Weber and L. Thiel, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: European Union figurative mark containing the word element 'TAKE CARE' — Application for registration No 16 254 898

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 4 January 2018 in Case R 845/2017-5

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) of Regulation 2017/1001.

Action brought on 14 March 2018 — Lucchini v Commission

(Case T-185/18)

(2018/C 161/88)

Language of the case: Italian

Parties

Applicant: Lucchini SpA (Livorno, Italy) (represented by: G. Belotti, lawyer)

Defendant: European Commission