

3. A third plea, alleging that the general principle of equality of arms, Article 47 of the Charter of Fundamental Rights of the European Union and Article 6 of the European Convention on Human Rights have been infringed.
4. A fourth plea, alleging that Article 4(6) of Regulation No 1049/2001, the principle of proportionality and the duty to state reasons have been infringed.

Action brought on 22 March 2018 — Porsche v EUIPO — Autec (Motor vehicles)

(Case T-209/18)

(2018/C 166/58)

Language in which the application was lodged: German

Parties

Applicant: Dr. Ing. h.c. F. Porsche AG (Stuttgart, Germany) (represented by: C. Klawitter, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Autec AG (Nuremberg, Germany)

Details of the proceedings before EUIPO

Proprietor of the design at issue: Applicant

Design at issue: Community design No 1230593-0001

Contested decision: Decision of the Third Board of Appeal of EUIPO of 19 January 2018 in Case R 945/2016-3

Form of order sought

The applicant claims that the Court should:

- annul the contested decision and dismiss the application for a declaration of invalidity in respect of the contested Community design No 1230593-0001.

Pleas in law

- Infringement of Article 5 of Regulation No 6/2002;
- Infringement of Article 6 of Regulation No 6/2002.

Action brought on 22 March 2018 — Porsche v EUIPO — Autec (Cars)

(Case T-210/18)

(2018/C 166/59)

Language in which the application was lodged: German

Parties

Applicant: Dr. Ing. h.c. F. Porsche AG (Stuttgart, Germany) (represented by: C. Klawitter, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Autec AG (Nuremberg, Germany)

Details of the proceedings before EUIPO

Proprietor of the design at issue: Applicant

Design at issue: Community design No 198387-0001

Contested decision: Decision of the Third Board of Appeal of EUIPO of 19 January 2018 in Case R 941/2016-3

Form of order sought

The applicant claims that the Court should:

— annul the contested decision and dismiss the application for a declaration of invalidity in respect of the contested Community design No 198387-0001.

Pleas in law

— Infringement of Article 5 of Regulation No 6/2002;

— Infringement of Article 6 of Regulation No 6/2002.

Action brought on 27 March 2018 — Brita v EUIPO (Shape of tap for preparing and dispensing beverages)

(Case T-213/18)

(2018/C 166/60)

Language of the case: English

Parties

Applicant: Brita GmbH (Taufkirchen, Germany) (represented by: P. Koch Moreno, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: EU tridimensional mark in black and white (Shape of tap for preparing and dispensing beverages) — Application for registration No 16 053 068

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 22 January 2018 in Case R 1864/2017-4

Form of order sought

The applicant claims that the Court should:

— annul the contested decision;

— order to accept the European Union Trademark Application no. 16 053 068 in relation to all the goods and services applied for in classes 7, 11, 21, 37 and 40;

— order EUIPO to bear its own costs and the fees and costs of BRITA GmbH.