

3. Third plea in law, alleging infringement of the concept of 'selectivity' referred to in Article 107 TFEU, since the measures taken are selective in nature. This plea in law is divided into three parts:
 - first part, alleging that the OPCAs are not entitled to discriminate between the various training courses which answer the same need and which have all been recognised by the French State;
 - second part, alleging that the interventions made by the French State have the effect of deceiving the OPCAs as to the training arrangements which meet the legal requirements and which may be reimbursed;
 - third part, alleging that the difference in treatment of the two training systems (CACES® and PCE®) is not justified by the nature or general scheme of a reference system.

Action brought on 14 August 2018 — XB v ECB

(Case T-484/18)

(2018/C 373/15)

Language of the case: English

Parties

Applicant: XB (represented by: L. Levi and A. Champetier, lawyers)

Defendant: European Central Bank (ECB)

Form of order sought

- annul the decisions of 6 November 2017 and 4 December 2017 informing the applicant that he was not entitled to certain allowances (household allowance, child allowances, education allowances and pre-school allowance);
- accordingly, order the payment of the respective amounts from the requested dates onwards, increased by late interest (ECB rate + 2 points). It should be considered that corrective payments not related to the month during which they were paid should be subject to the tax to which they would have been subject had they been made at the proper time, in accordance with Regulation (EEC, EURATOM, ECSC) No 260/68; ⁽¹⁾
- if need be, annul the decision of 5 June 2018 rejecting the applicant's grievance procedure, lodged on 29 March 2018;
- if need be, annul the decisions of 2 February 2018 rejecting the applicant's request for administrative review of 15 December 2017;
- order the defendant to pay all 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 that the ECB's conditions of short-term employment and its rules for short-term employment are illegal (plea of illegality).
 - The ECB's conditions of short-term employment and its rules for short-term employment infringe, first, the rights of the child and the principles of family protection and non-discrimination laid down in the Charter of Fundamental Rights of the European Union, second, the principle of non-discrimination between temporary and permanent workers, and, third, the principle of non-discrimination and of equality of taxpayers.

2. Second plea in law, alleging a violation of collective rights, as a result of lack of proper consultation of the ECB Staff Committee in the adoption of the ECB's conditions and rules for short-term employment.

⁽¹⁾ Regulation (EEC, Euratom, ECSC) No 260/68 of the Council of 29 February 1968 laying down the conditions and procedure for applying the tax for the benefit of the European Communities (OJ, English Special Edition 1968 (I), p. 37).

Action brought on 20 August 2018 — Puma v EUIPO — Destilerias MG (MG PUMA)

(Case T-500/18)

(2018/C 373/16)

Language of the case: English

Parties

Applicant: Puma SE (Herzogenaurach, Germany) (represented by: P. Trieb and M. Schunke, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Destilerias MG SL (Vilanova i la Geltru, Spain)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant before the General Court

Trade mark at issue: Application for European Union trade mark MG PUMA — Application for registration No 15 108 848

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 6 June 2018 in Case R 2019/2017-2.

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs, including those incurred before the Board of Appeal.

Plea in law

- Infringement of Art. 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 22 August 2018 — Pharmadom v EUIPO — IRF (MediWell)

(Case T-502/18)

(2018/C 373/17)

Language of the case: English

Parties

Applicant: Pharmadom (Boulogne-Billancourt, France) (represented by: M-P. Dauquaire, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: IRF s. r. o. (Bratislava, Slovakia).