

Form of order sought

The applicant claims that the General Court should:

- annul the Commission's decision refusing to grant the applicant's husband affiliation to the JSIS;
- order the Commission to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on a single plea in law, alleging the unlawfulness of Article 13 of the Joint Rules on Sickness Insurance for officials of the European Union, in so far as that article breaches Article 72 of the Staff Regulations of Officials of the European Union, since it restricts the scope thereof.

Action brought on 22 October 2018 — E.J. Papadopoulos v EUIPO — Europastry (fripan VIENNOISERIE CAPRICE Pur Beurre)

(Case T-628/18)

(2018/C 455/41)

Language of the case: English

Parties

Applicant: Viomichania mpiskoton kai eidon diatrofis E.J. Papadopoulos S.A. (Moschato-Tavros, Greece) (represented by: C. Chrysanthis, P.-V. Chardalia and A. Vasilogamvrou, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Europastry, SA (Sant Cugat del Vallès, Spain)

Details of the proceedings before EUIPO

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

Trade mark at issue: Application for European Union figurative mark fripan VIENNOISERIE CAPRICE Pur Beurre — Application for registration No 13 125 265

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 8 August 2018 in Case R 493/2018-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and Europastry, SA, if it becomes intervener, to pay the costs.

Plea in law

- Infringement of Article 8(1)(b) of Council Regulation (EC) No 207/2009.
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