

**Operative part of the order**

1. *The action is dismissed.*
2. *Sonova Holding AG shall pay the costs.*

<sup>(1)</sup> OJ C 112, 26.3.2018.

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**Action brought on 26 November 2018 — Durand and Others v Parliament****(Case T-702/18)**

(2019/C 65/51)

*Language of the case: English***Parties**

*Applicants:* Pascal Durand (Paris, France) and seven other applicants (represented by: O. Brouwer and E. Raedts, lawyers)

*Defendant:* European Parliament

**Form of order sought**

The applicants claim that the Court should:

- declare that the Parliament has failed to fulfil its obligations under Article 226(1) of the Treaty on the Functioning of the European Union and Article 198(4) of the Rules of Procedure of the European Parliament, by the failure of the Conference of Presidents to submit to the plenary of the European Parliament a proposal for the setting up of a Committee of Inquiry;
- in subsidiary order, in the event that the General Court would hold that the letter of 21 September 2018 of the President of the Parliament contains an unequivocal and final position putting an end to the failure to act, annul the decision contained in the letter of 21 September 2018 to refuse to submit to the plenary of the European Parliament a proposal for the setting up of a Committee of Inquiry;
- order the Parliament to pay the costs of the proceedings, including the costs of possible intervening parties.

**Pleas in law and main arguments**

In support of the action, the applicants submit that the Conference of Presidents of the Parliament was required to formulate and send to the plenary of the European Parliament a proposal on the setting up of a Committee of Inquiry, concerning the welfare of animals in transport, as requested by 223 Members of the European Parliament, pursuant to Article 198(4) of the Rules of Procedure of the European Parliament and in accordance with Article 226 of the Treaty on the Functioning of the European Union. A decision refusing to do so would breach these same articles.

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**Action brought on 10 December 2018 — AMVAC Netherlands v EFSA****(Case T-720/18)**

(2019/C 65/52)

*Language of the case: English***Parties**

*Applicant:* AMVAC Netherlands BV (Amsterdam, Netherlands) (represented by: C. Mereu, M. Grunchar and S. Englebert, lawyers)

*Defendant:* European Food Safety Authority (EFSA)

**Form of order sought**

The applicant claims that the Court should:

- annul the EFSA decision of 1 October 2018, notified to the applicant on 2 October 2018, on the assessment of the confidentiality claims made in relation to the application for renewal of the approval process for Ethoprophos as an active substance;
- order the defendant to pay the costs.

### **Pleas in law and main arguments**

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

1. First plea in law, alleging *ultra vires*

- The applicant submits that the documents to be published as a result of the contested decision should be published in sanitised form only because the defendant has undertaken an activity (proposal of a classification of substance) which is expressly outside its remit of powers.

2. Second plea in law, alleging the breach of fundamental principles of EU law

- The applicant submits that the contested decision results from a procedure during which its rights of defence have not been respected.

3. Third plea in law, alleging the infringement of Article 63 of Regulation 1107/2009 <sup>(1)</sup>

- The applicant submits that part of the documents to be published as a result of the contested decision contains information that results from a flawed and partial assessment, and their publication would undermine the commercial interests of the applicant.

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<sup>(1)</sup> Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ 2009 L 309, p. 1)

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### **Action brought on 7 December 2018 — Intercontinental Exchange Holdings v EUIPO (BRENT)**

**(Case T-725/18)**

(2019/C 65/53)

*Language of the case: English*

### **Parties**

*Applicant:* Intercontinental Exchange Holdings, Inc. (Atlanta, Georgia, United States) (represented by: R. Hoy, Solicitor and J. Bowhill, QC)

*Defendant:* European Union Intellectual Property Office (EUIPO)

### **Details of the proceedings before EUIPO**

*Trade mark at issue:* Application for European Union word mark BRENT — Application for registration No 16 710 014

*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 24 September 2018 in Case R 624/2018-2

### **Form of order sought**

The applicant claims that the Court should:

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