

Action brought on 6 February 2019 — Südwestdeutsche Salzwerke v EUIPO (Bad Reichenhaller Alpensaline)

(Case T-69/19)

(2019/C 112/57)

Language of the case: German

Parties

Applicant: Südwestdeutsche Salzwerke AG (Heilbronn, Germany) (represented by: M. Douglas, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Mark at issue: Application for EU figurative mark Bad Reichenhaller Alpensaline — Application for registration No 17 126 517

Contested decision: Decision of the First Board of Appeal of EUIPO of 4 December 2018 in Case R 412/2018-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision and allow EU trade mark application No 17 126 517, thus far rejected, to proceed to registration;
- order EUIPO to pay the costs.

Pleas in law

- Infringement of Article 7(1)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 7 February 2019 — DK Company v EUIPO — Hunter Boot (DENIM HUNTER)

(Case T-74/19)

(2019/C 112/58)

Language of the case: English

Parties

Applicant: DK Company A/S (Ikast, Denmark) (represented by: S. Hansen, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Hunter Boot Limited (Edinburgh, United Kingdom)

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 figurative mark DENIM HUNTER — Application for registration No 14 649 891

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 16 November 2018 in Case R 849/2018-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- reverse the contested decision;
- order EUIPO to pay the costs including cost incurred by the applicant.

Plea in law

- The Board of Appeal has erred in finding that a risk of confusion exists between the marks.

Action brought on 8 February 2019 — Comune di Milano v Parliament and Council

(Case T-75/19)

(2019/C 112/59)

Language of the case: Italian

Parties

Applicant: Comune di Milano (represented by: F. Sciaudone, M. Condinanzi and A. Neri, lawyers)

Defendants: European Parliament, Council of the European Union

Form of order sought

The applicant claims that the Court should:

- Annul Regulation (EU) 2018/1718 of the European Parliament and of the Council of 14 November 2018 amending Regulation (EC) No 726/2004 in so far as regards the location of the seat of the European Medicines Regulation ('EMA');
- declare the Council's decision of 20 November 2017 invalid, pursuant to point 6 of the procedural rules of 22 June 2017;
- order the Council and the European Parliament to pay the costs of these proceedings.

Pleas in law and main arguments

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

1. First plea in law, alleging infringement of the principles of representative democracy (Article 10 TEU), institutional balance and sincere cooperation (Article 13 TEU) as well as infringement of essential procedural requirements and Article 14 TEU.