

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision in its entirety and give judgment on the substance of the case;
- issue judgment by default in the cases provided for by law;
- order EUIPO to pay the costs incurred by the applicant in the proceedings before the Court, including the costs incurred in respect of legal representation in accordance with the rules laid down by law.

**Pleas in law**

- Error of assessment with regard to the facts upon which the decision was based, which consisted in accepting that the decision which, in accordance with the legal provisions, could be the subject of an appeal, was effectively notified to the applicant on 20 July 2018 (allegedly by courier service), whereas the contents of that decision were notified to the applicant on 21 September 2018, after prior correspondence by email and a request to that effect had been submitted by the applicant to an agent of EUIPO;
- Infringement of Article 68(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 68(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council read in conjunction with Article 23(3) of Commission Delegated Regulation (EU) 2018/625.

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**Action brought on 20 May 2019 — SQlab v EUIPO (Innerbarend)**

**(Case T-307/19)**

(2019/C 230/74)

*Language of the case: German*

**Parties**

*Applicant:* SQlab GmbH (Taufkirchen, Germany) (represented by: A. Koelle, lawyer)

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

**Details of the proceedings before EUIPO**

*Trade mark at issue:* Application for EU word mark Innerbarend — Application for registration No 15 442 635

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 18 March 2019 in Case R 2180/2018-4

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- amend the contested decision to the effect that the action is well founded and the EU trade mark ‘Innerbarend’ is to be registered in Class 12;
- 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;
- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

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### **Action brought on 17 May 2019 — BU v Commission**

**(Case T-308/19)**

(2019/C 230/75)

*Language of the case: Italian*

### **Parties**

*Applicant:* BU (represented by: E. Bonanni, lawyer)

*Defendant:* European Commission

### **Form of order sought**

The applicant claims that the General Court should:

- annul the decision of 11 January 2019 by which the Commission decided to create a new medical committee to give a new opinion on the requested recognition of aggravation of the applicant’s occupational disease;