

3. Third plea in law, alleging that the contested decision was taken in breach of the principle of good administration.
 - In particular, it is alleged that the defendant (i) failed to grant the applicant the right to be heard; and (ii) failed to give adequate reasons for its decision.
4. Fourth plea in law, a plea of illegality relating to the special leave provisions of the EU Staff Regulations as interpreted by the defendant in the contested decision.
 - For the same reasons as set forth in the first to third pleas above, it is argued that the defendant's interpretation of Article 57 of the Staff Regulations, read in conjunction with Article 6 of Annex V to those Regulations, as reflected in the contested decision, to the effect that officials or other servants of the European Parliament who become parents of a child via surrogacy are not entitled to special leave equivalent to maternity and/or adoption leave, is illegal.
5. Fifth plea in law, alleging an error in law and misapplication of Article 6 of Annex 2 to the EU Staff Regulations and of the European Parliament's Internal Rules governing leave.
 - In the event that the Court holds that the applicant is not entitled to birth leave equivalent to that which is granted as maternity leave or adoption leave, the applicant submits that, as the father of twins, he is entitled to 20 days' leave. This entitlement applies regardless of the legal mechanism through which the applicant gained parental responsibility.

Action brought on 19 July 2019 — Lego v EUIPO — Delta Sport Handelskontor (Building blocks from a toy building set)

(Case T-515/19)

(2019/C 305/74)

Language of the case: English

Parties

Applicant: Lego A/S (Billund, Denmark) (represented by: V. von Bomhard and J. Fuhrmann, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Delta Sport Handelskontor GmbH (Hamburg, Germany)

Details of the proceedings before EUIPO

Proprietor of the design at issue: Applicant before the General Court

Design at issue: Registered Community design No 1664 368-0006

Contested decision: Decision of the Third Board of Appeal of EUIPO of 10 April 2019 in Case R 31/2018-3

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- maintain the decision of the Design Invalidation Division of EUIPO of 30 October 2017 rejecting the application for declaration of invalidity of the registered Community design No 1664 368-0006;
- order EUIPO and, if the other party to the proceedings before EUIPO intervenes, the intervener, to bear the costs of the proceedings.

Pleas in law

- Infringement of Article 8(3) of Council Regulation (EC) No 6/2002;
- Infringement of Article 8(1) of Council Regulation (EC) No 6/2002;
- Infringement of Article 62 of Council Regulation (EC) No 6/2002.

Action brought on 22 July 2019 — Sipcam Oxon v Commission

(Case T-518/19)

(2019/C 305/75)

Language of the case: English

Parties

Applicant: Sipcam Oxon SpA (Milano, Italy) (represented by: C. Mereu, P. Sellar, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- declare the application admissible and well-founded;
- annul the contested Commission Implementing Regulation (EU) 2019/677 of 29 April 2019;
- order the defendant to pay all the costs and expenses of these proceedings.

Pleas in law and main arguments

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

1. First plea in law, alleging that the contested Regulation was adopted further to manifest errors of assessment.