

Action brought on 22 July 2019 — Heitec v EUIPO — Hetec Datensysteme (HEITEC)**(Case T-520/19)**

(2019/C 312/35)

*Language in which the application was lodged: German***Parties***Applicant:* Heitec AG (Erlangen, Germany) (represented by: G. Wagner, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* Hetec Datensysteme GmbH (Germering, Germany)**Details of the proceedings before EUIPO***Proprietor of the trade mark at issue:* Applicant*Trade mark at issue:* EU word mark HEITEC — EU trade mark No 774 331*Procedure before EUIPO:* Cancellation proceedings*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 23 April 2019 in Case R 1171/2018-2**Form of order sought**

The applicant claims that the Court should:

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

Pleas in law

- Infringement of Article 95(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
 - Infringement of Article 58(1)(a) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, in conjunction with Rule 22(3) and (4) of Commission Regulation (EC) No 2868/95.
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