

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 8 July 2019 in Case R 2427/2018-5

Form of order sought

The applicant claims that the Court should:

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

Pleas in law

- Infringement of Article 72(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 12 September 2019 — Katjes Fassin v EUIPO — Haribo The Netherlands & Belgium (WONDERLAND)

(Case T-616/19)

(2019/C 363/43)

Language in which the application was lodged: German

Parties

Applicant: Katjes Fassin GmbH & Co. KG (Emmerich am Rhein, Germany) (represented by: T. Schmitz and M. Breuer, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Haribo The Netherlands & Belgium BV (Breda, Netherlands)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant

Trade mark at issue: Application for EU word mark WONDERLAND — Application No 16 263 295

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 8 July 2019 in Case R 2164/2019-4

Form of order sought

The applicant claims that the Court should:

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

Plea in law

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 16 September 2019 – ArcelorMittal Bremen v Commission

(Case T-623/19)

(2019/C 363/44)

Language of the case: German

Parties

Applicant: ArcelorMittal Bremen GmbH (Bremen, Germany) (represented by: S. Altenschmidt and L. Buschmann, lawyers)

Defendant: European Commission

Form of order sought

- declare, pursuant to Article 265 TFEU, that the Commission infringed the second subparagraph of Article 19(4) of Commission Decision 2011/278/EU ⁽¹⁾ by failing to decide on the total annual amount of emission allowances allocated free of charge for a significant capacity extension of the product benchmark sub-installation for hot metal of the installation (Installation ID 60) in Bremen, communicated to it by the Federal Republic of Germany on 12 April 2019;
- alternatively, annul the Commission's decision of 19 July 2019 on the applicant's request of 12 April 2019;
- order the defendant to pay the costs.