

*Defendants:* Council of the European Union (represented by: A. Westerhof Löfflerová and I. Gurov, acting as Agents), European Commission (represented by: L. Flynn, J.-P. Keppenne and S. Delaude, acting as Agents), European Central Bank (represented by: K. Laurinavičius, G. Várhelyi and K. Drēviņa, acting as Agents, and by H.-G. Kamann, lawyer), Eurogroup, represented by the Council of the European Union (represented by: A. Westerhof Löfflerová and I. Gurov, acting as Agents), European Union, represented by the European Commission (represented by: L. Flynn and J.-P. Keppenne and by S. Delaude, acting as Agents)

**Re:**

By their application under Article 268 TFEU, the applicants seek compensation for the damage allegedly suffered by them as a result of the decision of the Governing Council of the European Central Bank (ECB) of 21 March 2013 on the provision of emergency liquidity following a request made by the Central Bank of Cyprus (‘the CBC’), the Eurogroup statements of 25 March, 12 April, 13 May and 13 September 2013 on Cyprus, Council Decision 2013/236/EU of 25 April 2013 addressed to Cyprus on specific measures to restore financial stability and sustainable growth (OJ 2013 L 141, p. 32), Council Implementing Decision 2013/463/EU of 13 September 2013 approving the macroeconomic adjustment programme for Cyprus and repealing Decision 2013/236 (OJ 2013 L 250, p. 40), the Memorandum of Understanding of 26 April 2013 on specific economic policy conditions between the Republic of Cyprus and the European Stability Mechanism (ESM) (‘the Memorandum of Understanding of 26 April 2013’), as well as other acts and conduct of the European Commission, the Council of the European Union, the ECB and the Eurogroup related to the provision of a financial assistance facility to the Republic of Cyprus.

**Operative part of the order**

1. The action is dismissed.
2. Basicmed Enterprises Ltd and the other applicants whose names are listed in the annex shall pay, in addition to their own costs, those incurred by the Council of the European Union, the European Commission and the European Central Bank (ECB).

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(<sup>1</sup>) OJ C 383, 17.10.2016.

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**Order of the General Court of 22 November 2022 — Validity v Commission**

(Case T-640/20) (<sup>1</sup>)

*(Action for annulment — Access to documents — Regulation (EC) No 1049/2001 — Documents relating to a draft call for proposals co-funded by the ERDF — Documents originating from a Member State — Partial refusal of access — Disclosure after the action had been brought — Interest in bringing proceedings ceasing to exist — No need to adjudicate in part — Request to modify the application — Partial inadmissibility)*

(2023/C 35/75)

Language of the case: English

**Parties**

*Applicant:* Validity Foundation — Mental Disability Advocacy Centre (Budapest, Hungary) (represented by: B. Van Vooren and R. Oyarzabal Arigita, lawyers)

*Defendant:* European Commission (represented by: K. Herrmann and A. Spina, acting as Agents)

**Re:**

By its action based on Article 263 TFEU, the applicant seeks the annulment, first, of Commission Decision C(2020) 5540 final of 6 August 2020, by which the Commission refused it access to documents relating to a draft call for proposals from the Hungarian authorities and, secondly, of Commission Decision C(2021) 2834 final of 19 April 2021 granting it access to those documents.

**Operative part of the order**

1. There is no longer any need to adjudicate on the application for annulment of Commission Decision C(2020) 5540 final of 6 August 2020, by which the Commission refused Validity Foundation — Mental Disability Advocacy Centre access to documents relating to a draft call for proposals of the Hungarian authorities.
2. The remainder of the action is dismissed as inadmissible.
3. Each party is ordered to bear its own costs.

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(<sup>1</sup>) OJ C 9, 11.1.2021.

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**Order of the General Court of 22 November 2022 — Fieldpoint (Cyprus) v EUIPO  
(HYPERLIGHTOPTICS)**

(Case T-800/21) (<sup>1</sup>)

*(EU trade mark — Application for the EU word mark HYPERLIGHTOPTICS — Absolute ground for refusal — Descriptiveness — Article 7(1)(c) of Regulation (EU) 2017/1001 — Equal treatment — Action manifestly lacking any foundation in law)*

(2023/C 35/76)

Language of the case: English

**Parties**

*Applicant:* Fieldpoint (Cyprus) LTD (Nicosia, Cyprus) (represented by: P. Rath and S. Gebele, lawyers)

*Defendant:* European Union Intellectual Property Office (represented by: L. Lapinskaite and T. Klee, acting as Agents)

**Re:**

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the Second Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 6 October 2021 (Case R 1166/2021-2).

**Operative part of the order**

1. The action is dismissed.
2. Fieldpoint (Cyprus) LTD shall pay the costs.

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(<sup>1</sup>) OJ C 73, 14.2.2022.

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**Order of the General Court of 22 November 2022 — Fieldpoint (Cyprus) v EUIPO  
(HYPERLIGHTEYEWEAR)**

(Case T-801/21) (<sup>1</sup>)

*(EU trade mark — Application for the EU word mark HYPERLIGHTEYEWEAR — Absolute ground for refusal — Descriptiveness — Article 7(1)(c) of Regulation (EU) 2017/1001 — Equal treatment — Action manifestly lacking any foundation in law)*

(2023/C 35/77)

Language of the case: English

**Parties**

*Applicant:* Fieldpoint (Cyprus) LTD (Nicosia, Cyprus) (represented by: P. Rath and S. Gebele, lawyers)