

Form of order sought

The applicant claims that the Court should:

- partially annul the contested decision;
- order EUIPO and other party to the proceedings before the Board of Appeal to pay the costs of the applicant in the present proceedings, including those incurred before EUIPO.

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 4 February 2020 — Tele Columbus v Commission**(Case T-69/20)**

(2020/C 95/55)

*Language of the case: German***Parties**

Applicant: Tele Columbus AG (Berlin, Germany) (represented by: C. Wagner and J. Hackl, Rechtsanwälte)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should,

- annul Commission Decision C(2019) 5187 of 18 July 2019 (M.8864 — VODAFONE/CERTAIN LIBERTY GLOBAL ASSETS),
- order the Commission to pay the costs of the proceedings

Pleas in law and main arguments

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

1. First plea in law, alleging a manifest error of assessment and procedural irregularity in the examination of whether horizontal non-coordinated effects on the German 'market for the supply of cable TV signal transmission to households in multi-dwelling-units (MDU customers)' ('MDU market') significantly impede effective competition.
 2. Second plea in law, alleging a manifest error of assessment in the examination of whether horizontal non-coordinated effects on the German 'market for the supply of cable TV signal transmission to households in single-dwelling-units (SDU customers)' significantly impede effective competition.
 3. Third plea in law, alleging a manifest error of assessment and procedural irregularity in the examination of whether vertical non-coordinated effects on the signal transmission market and the related MDU market in Germany significantly impede effective competition.
 4. Fourth plea in law, alleging a manifest error of assessment in the examination of whether horizontal non-coordinated effects on the so-called feed-in market in Germany significantly impede effective competition.
 5. Fifth plea in law, alleging a manifest error of assessment and procedural irregularity in the examination of commitments since the Commission accepted a set of commitments that was inherently unsuitable from the outset to compensate for the significant impediments to competition resulting from the merger.
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