Action brought on 18 March 2020 — Rochefort v Parliament

(Case T-172/20)

(2020/C 191/37)

Language of the case: French

Parties

Applicant: Robert Rochefort (Paris, France) (represented by: M. Stasi, J. Teheux and J. Rikkers, lawyers)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

— annul the decision of the Secretary-General of the European Parliament of 17 December 2019;

— annul debit note No 7000000019 of 22 January 2020 ordering the recovery of EUR 60 499,38;

— order the European Parliament to pay the costs.

Pleas in law and main arguments

In support of the action against the decision of the Secretary-General of the European Parliament of 17 December 2019 to proceed with the recovery of sums unduly paid to the applicant in respect of parliamentary assistance and the debit note relating to those sums, the applicant relies on four pleas in law.

1. First plea in law, alleging inadequate reasoning in the contested decision in so far as the Secretary-General of the European Parliament's reasoning is ambiguous and in so far as it does not state to what extent the documents produced were not evidence of work done.

2. Second plea in law, alleging reversal of the burden of proof. In that regard, the applicant considers that it is not for him to adduce evidence of the work of his parliamentary assistant, rather it is for the Parliament to adduce evidence to the contrary.

3. Third plea in law, alleging an error of assessment in the contested decision in that the facts relied on by the Secretary-General of the European Parliament are incorrect.

4. Fourth plea in law, concerning the principle of proportionality in so far as the sum claimed from the applicant is based on the assumption that the parliamentary assistant has never worked for the applicant.

Action brought on 23 March 2020 — Henry Cotton's Brand Management Company v EUIPO — Industries Sportswear Company (Henry Cotton's)

(Case T-173/20)

(2020/C 191/38)

Language of the case: English

Parties

Applicant: Henry Cotton's Brand Management Company Ltd (Dublin, Ireland) (represented by: A. von Mühlendahl, C. Eckhartt and P. Böhner, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Industries Sportswear Company SRL (Venice, Italy)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant before the General Court

Trade mark at issue: European Union word mark Henry Cotton's — European Union trade mark No 821 769 and No 2 580 728

Procedure before EUIPO: Revocation of register entry

Contested decision: Decision of the Second Board of Appeal of EUIPO of 10 February 2020 in Joined Cases R 254/2019-2 and R 255/2019-2

Form of order sought

The applicant claims that the Court should:

— annul the contested decision;

— order EUIPO and the other party to the proceedings before the Board of Appeal, if it should intervene in these proceedings, to pay the costs.

Pleas in law

— Infringement of Article 103(1) and (2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;

— Infringement of Article 27(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 30 March 2020 — Sam McKnight v EUIPO — Carolina Herrera (COOL GIRL)

(Case T-176/20)

(2020/C 191/39)

Language of the case: English

Parties

Applicant: Sam McKnight Ltd (London, United Kingdom) (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: Carolina Herrera Ltd (New York, New York, United States)

Details of the proceedings before EUIPO

Applicant of the trade mark at issue: Applicant before the General Court

Trade mark at issue: Application for European Union word mark COOL GIRL — Application for registration No 16 681 975

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 30 January 2020 in Case R 689/2019-4

Form of order sought

The applicant claims that the Court should:

— annul the contested decision;

— order that the costs of the proceedings be borne by the Defendant, and in case the other party to the proceedings before the Board of Appeal joins the proceedings, the Intervener.