

- Infringement of Article 57(3) of Regulation (EU) 2100/94 of the Council;
- Infringement of Article 75 of Regulation (EU) 2100/94 of the Council;
- Infringement of the principle of equal treatment.

Action brought on 31 March 2020 — Griba v CPVO (Gala Perathoner)

(Case T-182/20)

(2020/C 191/43)

Language of the case: English

Parties

Applicant: Griba Baumschulgenossenschaft landwirtschaftliche Gesellschaft (Terlan, Italy) (represented by: G. Würtenberger, lawyer)

Defendant: Community Plant Variety Office (CPVO)

Details of the proceedings before CPVO

Community Plant Variety at issue: Apple variety Gala Perathoner — Community Plant Variety Right No. 2009/0353

Contested decision: Decision of the Board of Appeal of CPVO of 17 January 2020 in Case A 004/2016

Form of order sought

The applicant claims that the Court should:

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

Pleas in law

- Infringement of Article 76 of Regulation (EU) 2100/94 of the Council;
- Infringement of Article 8 of Regulation (EU) 2100/94 of the Council;
- Infringement of Article 57(3) of Regulation (EU) 2100/94 of the Council;
- Infringement of Article 75 of Regulation (EU) 2100/94 of the Council;
- Infringement of the principle of equal treatment.

Action brought on 7 April 2020 — Schneider v EUIPO — Raths (Teslaplatte)

(Case T-183/20)

(2020/C 191/44)

Language in which the application was lodged: German

Parties

Applicant: Christian Schneider (Leverkusen, Germany) (represented by: R. Buttron, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Oliver Raths (Männedorf, Switzerland)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: EU word mark Teslaplatte — EU trade mark No 11 222 155

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 15 January 2020 in Case R 247/2019-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- alter the contested decision to the effect that the appeal by the party concerned dated 28 January 2019 is dismissed in its entirety;
- order EUIPO to pay the costs of the proceedings.

Plea in law

- Infringement of Article 7(1)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 31 March 2020 — Tikal Marine Systems v EUIPO — Ultra Safety Systems (Tikal Tef-Gel)

(Case T-185/20)

(2020/C 191/45)

Language of the case: English

Parties

Applicant: Tikal Marine Systems GmbH (Norderstedt, Germany) (represented by: M. Mahnkopf, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Ultra Safety Systems Inc. (Mangonia Park, Florida, United States)

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 Tikal Tef-Gel — European Union trade mark No 12 971 461

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 29 January 2020 in Case R 2500/2018-4