

Form of order sought

The applicant claims that the Court should:

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

Pleas in law

- Infringement of Article 7(1)(c) in conjunction with Article 7(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(b) in conjunction with Article 7(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 8 May 2020 — Ryanair v Commission

(Case T-259/20)

(2020/C 215/68)

Language of the case: English

Parties

Applicant: Ryanair DAC (Swords, Ireland) (represented by: E. Vahida, F. Lapr vot, S. Rating and I. Metaxas-Maranghidis, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the European Commission's decision (EU) of 31 March 2020 on State aid SA.56765; (1) and
- order the European Commission to pay the costs.
- The applicant has also requested that its action be determined under the expedited procedure as referred to in Article 23a of the Statute of the Court of Justice.

Pleas in law and main arguments

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

1. First plea in law, alleging that the European Commission's decision violates specific provisions of the TFEU and the general principles of European law regarding the prohibition of discrimination based on nationality and free movement of services that have underpinned the liberalisation of air transport in the EU since the late 1980s. The liberalisation of the air transport market in the EU has allowed the growth of truly pan-European low-fares airlines. The decision of the European Commission ignores the role of such pan-European airlines in the market structure of EU Member States by allowing France to reserve aid only to those EU airlines to which France has issued EU operating licenses. Article 107(2) (b) TFEU provides for an exception to the prohibition of State aid under Article 107(1) TFEU, but it does not provide for an exception to the other rules and principles of the TFEU.

2. Second plea in law, alleging that the European Commission committed a manifest error of assessment in its review of the proportionality of the aid to the damage caused by the COVID-19 crisis.
3. Third plea in law, alleging that the European Commission failed to initiate a formal investigation procedure despite serious difficulties and violated the applicant's procedural rights.
4. Fourth plea in law, alleging that the European Commission violated its duty to state reasons in its decision.

(¹) European Commission's decision (EU) of 31 March 2020 on State aid SA.56765 (2020/N) — France COVID-19 — *Moratoire sur le paiement de taxes aéronautiques en faveur des entreprises de transport public aérien* (not yet published at the OJ).

Action brought on 1 May 2020 — Da Silva Carreira v Commission

(Case T-260/20)

(2020/C 215/69)

Language of the case: French

Parties

Applicant: José Da Silva Carreira (Olhos de Água, Portugal) (represented by: S. Orlandi and T. Martin, avocats)

Defendant: European Commission

Form of order sought

The applicant claims that the General Court should:

- annul the decision of 26 July 2019 by which the Commission refused to reassess, for the future, the applicant's retirement pension;
- order the Commission to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant puts forward a single plea, alleging breach of Articles 21 and 22 of Annex XIII to the Staff Regulations of Officials of the European Union ('the Staff Regulations'). He claims, inter alia, that the Commission's refusal to reassess, for the future, his retirement pension is contrary to Article 41 of Annex VIII to the Staff Regulations and to the principle of legality.

Action brought on 6 May 2020 — Rochem Group v EUIPO — Rochem Marine (R.T.S. ROCHEM Technical Services)

(Case T-263/20)

(2020/C 215/70)

Language of the case: English

Parties

Applicant: Rochem Group AG (Zug, Suisse) (represented by: K. Guridi Sedlak, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Rochem Marine Srl (Genova, Italy)