

- order EUIPO to render a new decision refusing the declaration of invalidity filed against the International trademark registration No 1 151 485, also for classes 11 and 40;
- order EUIPO and the intervener, should the other party to the proceedings before the Board of Appeal appear before the Court, to pay its own costs and bear the fees and costs of the applicant.

Pleas in law

- Infringement of Article 18 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 64(2) and (3) in connection with Article 198 of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 6 May 2020 — Rochem Group v EUIPO — Rochem Marine (ROCHEM)

(Case T-262/20)

(2020/C 222/33)

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)

Details of the proceedings before EUIPO

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

Trade mark at issue: International registration designating the European Union in respect of the word mark ROCHEM — International registration designating the European Union No 1 151 545

Procedure before EUIPO: Cancellation proceedings

Contested decision: Decision of the First Board of Appeal of EUIPO of 2 March 2020 in Case R 1546/2019-1

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to render a new decision refusing the declaration of invalidity filed against the International trademark registration No 1 151 545, also for classes 11 and 40;
- order EUIPO and the intervener, should the other party to the proceedings before the Board of Appeal appear before the Court, to pay its own costs and bear the fees and costs of the applicant.

Pleas in law

- Infringement of Article 18 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 64(2) and (3) in connection with Article 198 of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 5 May 2020 — Arbuzov v Council**(Case T-267/20)**

(2020/C 222/34)

*Language of the case: Czech***Parties***Applicant:* Sergej Arbuzov (Kiev, Ukraine) (represented by: M. Mleziva, lawyer)*Defendant:* Council of the European Union**Form of order sought**

The applicant claims that the Court should:

- annul Council Decision (CFSP) 2020/373 of 5 March 2020 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine,⁽¹⁾ and Council Implementing Regulation (EU) 2020/370 of 5 March 2020 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine,⁽²⁾ in so far as that decision and that regulation apply to the applicant;
- declare that the Council of the European Union is to bear its own costs and order it to pay the costs incurred by the applicant in the proceedings.

Pleas in law and main arguments

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

1. First plea in law, alleging infringement of the right to good administration

- The applicant claims in support of his action, inter alia, that the Council of the European Union did not in adopting Council Decision (CFSP) 2019/354 of 4 March 2019 (?) act with due care, since before adopting the contested decision it did not address the applicant's arguments and the evidence the applicant submitted, which supports his case, and it relied primarily on the brief summary by the Prosecutor-General's Office of Ukraine and did not request any supplementary information on the course of the investigation in the Ukraine.

2. Second plea in law, alleging infringement of the applicant's right to property

- The applicant claims in this connection that the restrictive measures which have been taken against him are disproportionate, go beyond what is necessary and amount to an infringement of guarantees under international law of protection of the applicant's right to property.

3. Third plea in law, alleging infringement of the applicant's fundamental rights as guaranteed by the Convention for the Protection of Human Rights and Fundamental Freedoms