

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- annul the decision of the Cancellation Division of the EUIPO No 000018101 C of 11 September 2019,
- order the EUIPO and, as the case may be, the intervener to bear the costs of the proceedings and the costs incurred by proceedings before the EUIPO.

**Plea in law**

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

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**Action brought on 11 November 2020 — Novelis v Commission****(Case T-680/20)**

(2021/C 19/69)

*Language of the case: English***Parties**

*Applicant:* Novelis Inc. (Mississauga, Ontario, Canada) (represented by: S. Völcker, T. Caspary and R. Benditz, lawyers)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the Court should:

- annul, in whole or in part, the Commission Decision of 31 August 2020 in Case No. M.9076 — *Novelis/Aleris* rejecting Novelis' request for a one-month extension of the Closing Period pursuant to Clause 49 of the *Novelis/Aleris* Commitments;
- order the Commission to pay the costs.

**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 Contested Decision was adopted by the Deputy Director-General of the Directorate General for Competition rather than the College of Commissioners in violation of the principle of collegiate responsibility.
  2. Second plea in law, alleging a breach of the applicant's right to be heard.
  3. Third plea in law, alleging failure to state adequate reasons allowing the applicant to exercise its rights of defence in an effective manner.
  4. Fourth plea in law, alleging that the Contested Decision is vitiated by several manifest errors of assessment and ignores that the applicant has good cause to apply for an extension. The applicant further alleges that in light of its legal consequences and the availability of several less onerous means, the Contested Decision infringes the principle of proportionality.
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