

Form of order sought

The applicant claims that the Court should:

- annul the contested decision
- order EUIPO and the other Party to the proceedings to pay the costs incurred by the applicant.

Pleas in law

- Infringement of Article 58 of Regulation (EU) 2017/1001 of the European Parliament and of the Council in conjunction with Article 19(1) of Commission Delegated Regulation (EU) 2017/1430;
- Infringement of the principle of equality as laid down in Article 20 in conjunction with Article 41 of the Charter of Fundamental Rights of the European Union ('the Charter');
- Infringement of the right to good administration as laid down in Article 41(1) of the Charter;
- Infringement of right to a fair trial as laid down in Article 47 of the Charter;
- Infringement of Article 95(2) of Regulation (EU) 2017/1001 of the European Parliament and of the Council in conjunction with Articles 19(1), third sentence, and 10(7) of Commission Delegated Regulation (EU) 2017/1430.

Action brought on 3 December 2020 — Puma v EUIPO — CMS (CMS Italy)

(Case T-711/20)

(2021/C 35/74)

Language of the case: English

Parties

Applicant: Puma SE (Herzogenaurach, Germany) (represented by: P. GonzálezBueno Catalán de Ocón, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: CMS Costruzione macchine speciali SpA (Alonte, Italy)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: International registration designating the European Union in respect of the figurative mark containing the word element CMS Italy — International registration designating the European Union No 1 150 538

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 24 September 2020 in Case R 2215/2019-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and CMS Costruzione macchine speciali SpA to pay the costs of the proceedings.

Pleas in law

- Infringement of Article 8(5) of Regulation (EU) 2017/1001 of the European Parliament and of the Council
- Infringement of the principles of legal security, equal treatment and sound administration.

Action brought on 3 December 2020 — Škoda Investement v EUIPO — Škoda Auto (Device of arrow with wing)**(Case T-712/20)**

(2021/C 35/75)

*Language of the case: English***Parties***Applicant:* Škoda Investement a.s. (Plzeň, Czech Republic) (represented by: L. Lorenc, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* Škoda Auto a.s. (Mladá Boleslav, Czech Republic)**Details of the proceedings before EUIPO***Applicant of the trade mark at issue:* Other party to the proceedings before the Board of Appeal*Trade mark at issue:* Application for European Union figurative mark (Representation of a device of arrow with wing) — Application for registration No 17 991 861*Procedure before EUIPO:* Opposition proceedings*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 6 October 2020 in Case R 284/2020-4**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- annul the decision of the Opposition Division of 9 December 2019 concerning Opposition No B003083007 to the full extent;
- remit the case to the Opposition Division for further examination with respect to all goods and services applied for;
- order EUIPO to bear the costs of the proceedings.

Plea in law

- Incorrect assessment of the legal effects of a procedurally illegal first-instance decision.

Action brought on 4 December 2020 — Degode v EUIPO — Leo Pharma (Skinovea)**(Case T-715/20)**

(2021/C 35/76)

*Language of the case: English***Parties***Applicant:* DEGODE — Dermago Development GmbH (Petershagen, Germany) (represented by: O. Spieker, A. Schönfleisch and N. Willich, lawyers)