

**Form of order sought**

The applicants claim that the Court should:

- annul the defendant's Implementing Regulation No 2021/591 of 12 April 2021 entering a name in the register of protected designations of origin and protected geographical indications ('Χαλλούμι' (Halloumi)/'Hellim' (PDO));<sup>(1)</sup> and
- order the defendant to pay the costs.

**Pleas in law and main arguments**

In support of the action, the applicants rely on five pleas in law.

1. First plea in law, alleging that the defendant has conducted a manifest error of assessment on the conformity of the application for registration No CY/PDO/0005/01243 with the Regulation No 1151/2012.<sup>(2)</sup> It is argued that the defendant infringed Articles 10, 49 and 50 of Regulation No 1151/2012 and failed to properly scrutinize the application for registration of 'Halloumi' as a PDO.<sup>(3)</sup>
2. Second plea in law, alleging that the defendant infringed Articles 10, 49 and 50 of Regulation No 1151/2012 by non-verifying the compliance with the procedure laid down by Regulation No 1151/2012.
3. Third plea in law, alleging that the defendant infringed the principle of good administration because of the extreme duration of the procedure of registration.
4. Fourth plea in law, alleging that the contested Regulation is insufficiently motivated. It is argued that the defendant infringed its obligation to state reasons pursuant to Article 296 of the TFEU and the right of the applicants to an effective remedy.
5. Fifth plea in law, alleging that the defendant infringed the principle of good administration because the Cypriot Courts have annulled the internal national acts on which the contested Regulation is based.

<sup>(1)</sup> OJ 2021 L 125, p 42-51.

<sup>(2)</sup> Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ 2012 L 343, p. 1-29).

<sup>(3)</sup> Protected Designation of Origin.

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**Action brought on 11 July 2021 — Itinerant Show Room v EUIPO — Save the Duck (ITINERANT)**

**(Case T-416/21)**

(2021/C 357/42)

*Language in which the application was lodged: Italian*

**Parties**

*Applicant:* Itinerant Show Room Srl (San Giorgio in Bosco, Italy) (represented by: E. Montelione, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Save the Duck SpA (Milan, Italy)

**Details of the proceedings before EUIPO**

*Applicant for the trade mark at issue:* Applicant before the Court

*Trade mark at issue:* Application for European Union figurative mark ITINERANT — Application for registration No 17 946 859

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 6 May 2021 in Case R 997/2020-5

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to grant European Union trade mark No 17 946 853 for Classes 18 and 25;
- order [EUIPO] to pay the costs.

**Pleas in law**

- Incorrect exclusion of the evidence submitted before the Board of Appeal;
- Misapplication of Article 8(5) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Misinterpretation 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 July 2021 — Itinerant Show Room v EUIPO — Save the Duck (ITINERANT)**

(Case T-417/21)

(2021/C 357/43)

*Language in which the application was lodged: Italian*

**Parties**

*Applicant:* Itinerant Show Room Srl (San Giorgio in Bosco, Italy) (represented by: E. Montelione, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Save the Duck SpA (Milan, Italy)

**Details of the proceedings before EUIPO**

*Applicant for the trade mark at issue:* Applicant before the Court

*Trade mark at issue:* Application for European Union figurative mark ITINERANT — Application for registration No 17 946 853

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 12 May 2021 in Case R 1017/2020-5

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to grant European Union trade mark No 17 946 853 for Classes 18 and 25;
- order [EUIPO] to pay the costs.

**Pleas in law**

- Incorrect exclusion of the evidence submitted before the Board of Appeal;
  - Misapplication of Article 8(5) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
  - Misinterpretation of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.
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