

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 defendant's decision not to implement the core sections (1) and (2) of the judgment of 16 December 2020 in case T-187/20, *VP v Cedefop* and, consequently, not to renew the employment contract of the applicant is vitiated by a violation of the obligation to state reasons;
2. Second plea in law, alleging that the defendant failed its obligation to duty of care.
3. Third plea in law, alleging that the defendant infringed the principles of equal treatment and protection of legitimate expectations.
4. Forth plea in law, alleging that the defendant misused its powers.

Action brought on 31 August 2021 — Tinnus Enterprises v EUIPO — Mystic Products (Fluid distribution equipment)

(Case T-535/21)

(2021/C 431/56)

Language of the case: English

Parties

Applicant: Tinnus Enterprises LLC (Plano, Texas, United States) (represented by: T. Wuttke, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Mystic Products Import & Export, SL (Badalona, Spain)

Details of the proceedings before EUIPO

Proprietor of the design at issue: Applicant before the General Court

Design at issue: Community design No 1 431 829-0009

Contested decision: Decision of the Third Board of Appeal of EUIPO of 16 June 2021 in Case R 1004/2018-3

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- alter the contested decision to:
 - allow the applicant's appeal,
 - dismiss in its entirety the invalidity applicant's application ICD 10 297 to declare the contested design invalid,
 - order the invalidity applicant to pay the applicant's costs in front of the Board of Appeal and the Invalidity Division;
- order the invalidity applicant to pay the applicant's fees and costs.

Pleas in law

- Infringement of the principles set forth in the judgment of 24 March 2021, *Lego v EUIPO — Delta Sport Handelskontor (Building block from a toy building set)* (T-515/19, not published, EU:T:2021:155);
- Infringement of the principles set forth in the judgment of 8 March 2018, *DOCERAM* (C-395/16, EU:C:2018:172);
- Infringement of Article 8(1) of Council Regulation (EC) No 6/2002;

- Misinterpretation of patent application EP 3 005 948 A2 and the applicant's multiple design application No. 1 431 829-0001-0010.

Action brought on 2 September 2021 — PBL and WA v Commission

(Case T-538/21)

(2021/C 431/57)

Language of the case: French

Parties

Applicants: *Penya Barça Lyon: Plus que des supporters (PBL) and WA (represented by: J. Branco, lawyer)*

Defendant: European Commission

Form of order sought

The applicants claim that the Court should:

- annul the decision of the European Commission's Directorate-General for Competition of 1 September 2021 — COMP.C.4/AH/mdr 2021(092342);
- order the European Commission to:
 - make use of its powers under Article 116(1) TFEU by ordering the French Football Federation to immediately stop any normative distortion of competition and to comply with the UEFA Club Licensing and Financial Fair Play Regulations;
 - initiate infringement proceedings under Articles 107 and 108 TFEU and Article 12 of Council Regulation 2015/1589 of 13 July 2015 laying down procedural rules against France for unlawful State aid as regards Paris Saint-Germain and to refer the matter to the Court of Justice of the European Union accordingly;
- and order the Commission, pursuant to Article 13 of Council Regulation 2015/1589 of 13 July 2015 laying down procedural rules, to take interim measures against France with a view to putting an end to the damage allegedly suffered by the applicants by ordering it to suspend the following normative decisions, which create an unfair distortion of competition by means of State aid, which creates a selective advantage affecting competition and intra-EU trade within the EU single market:
 - the deliberations of 12 and 14 December 2019 of the General and Federal Assemblies of the Professional Football League and the deliberation of 10 December 2020 of the General Assembly of the Professional Football League taken on behalf of the French Football Federation in the exercise of its public authority;
 - the decision of 25 June 2021 by which the Professional Clubs Control Commission of the National Management Control Directorate of the Professional Football League did not take any administrative measures against PSG;
 - the decision of the Professional Football League — not published — by which it approved the contract signed between Mr. Lionel Messi and Paris Saint-Germain.

Pleas in law and main arguments

In support of the action against the European Commission's Decision COMP.C.4/AH/mdr 2021(092342) of 1 September 2021 refusing the applicants the status of interested parties within the meaning of Article 24(2) of Regulation 2015/1589, ⁽¹⁾ the applicants rely on five pleas in law.

1. First plea in law, based on the applicants' interest in bringing proceedings in this case. The applicants allege that the Commission failed to take account of the fact that the first applicant is a member ('socio') of Futbol Club Barcelona ('FC Barcelona') and that, as such, it is entitled to lodge a complaint about alleged unlawful aid.