

**Action brought on 28 September 2021 — Automobiles Citroën v EUIPO — Polestar (Device of two inverted chevrons)**

**(Case T-625/21)**

(2021/C 471/82)

*Language of the case: English*

**Parties**

*Applicant:* Automobiles Citroën (Poissy, France) (represented by: C. Weyl, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Polestar Holding AB (Göteborg, Sweden)

**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:* European Union figurative mark (Device of two inverted chevrons) — European Union trade mark No 16 896 532

*Procedure before EUIPO:* Cancellation proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 9 July 2021 in Case R 504/2020-4

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

**Pleas in law**

- Infringement of Article 8(5) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- 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 30 September 2021 — Segimerus v EUIPO — Karsten Manufacturing (MONSOON)**

**(Case T-627/21)**

(2021/C 471/83)

*Language in which the application was lodged: German*

**Parties**

*Applicant:* Segimerus Ltd (London, United Kingdom) (represented by: G. Donath, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Karsten Manufacturing Corp. (Phoenix, Arizona, United States)

**Details of the proceedings before EUIPO**

*Proprietor of the trade mark at issue:* Applicant

*Trade mark at issue:* EU word mark MONSOON — EU trade mark No 10 469 906

*Procedure before EUIPO:* Cancellation proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 16 July 2021 in Case R 1125/2020-4

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

### **Pleas in law**

- Infringement of Article 59(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 34 of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 94 of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

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## **Action brought on 29 September 2021 — Ereğli Demir ve Çelik Fabrikaları and Others v Commission**

**(Case T-629/21)**

(2021/C 471/84)

*Language of the case: English*

### **Parties**

*Applicants:* Ereğli Demir ve Çelik Fabrikaları TAŞ (Istanbul, Turkey), İskenderun Demir ve Çelik AŞ (Payas, Turkey), Erdemir Çelik Servis Merkezi Sanayi ve Ticaret AŞ (Gebze, Turkey) (represented by: J. Cornelis and F. Graafsma, lawyers)

*Defendant:* European Commission

### **Form of order sought**

The applicants claim that the Court should:

- annul Commission Implementing Regulation (EU) 2021/1100 of 5 July 2021 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in Turkey (OJ 2021 L 238, p. 32); and
- order the European Commission to pay the applicants' costs.

### **Pleas in law and main arguments**

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

1. First plea in law, alleging a violation of Article 2(10)(j) of Regulation (EU) 2016/1036 of the European Parliament and of the Council<sup>(1)</sup> by carrying out a currency conversion that is not required. The applicants further allege that the chapeau of Article 2(10) and Article 2(5) of Regulation (EU) 2016/1036 were also violated because the costs were not established on the basis of the records kept by the applicants.
2. Second plea in law, alleging a violation of Article 2(10)(j) of Regulation (EU) 2016/1036 as well as Article 2.4 of WTO Anti-Dumping Agreement and the principle of sound administration by rejecting an adjustment for hedging gains and losses.