

**Pleas in law**

- Infringement of Article 63(1)(a) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, in that the Board of Appeal erred in its assessment of the abusive nature of the action for revocation;
- Infringement of Article 58(1)(a) of Regulation (EU) 2017/1001 of the European Parliament and of the Council, in that the Board of Appeal erred in its assessment of the genuine use of the trade mark.

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**Action brought on 3 November 2021 — Balaban v EUIPO (Stahlwerk)****(Case T-705/21)**

(2022/C 37/54)

*Language of the case: German***Parties***Applicant:* Okan Balaban (Bornheim, Germany) (represented by: T. Schaaf, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)**Details of the proceedings before EUIPO***Trade mark at issue:* EU word mark ‘Stahlwerk’ — Application for registration No 18 235 592*Contested decision:* Decision of the First Board of Appeal of EUIPO of 2 September 2021 in Case R 77/2021-1**Form of order sought**

The applicant claims that the Court should:

- annul the defendant’s refusal decision of 18 November 2020 in respect of application number 18 235 592 as well as the contested decision, in so far as the application was rejected in part, and order the defendant to register the trade mark for all goods and services sought by the application;
- order EUIPO to pay the costs.

**Pleas in law**

- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

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**Action brought on 3 November 2021 — Balaban v EUIPO (Stahlwerkstatt)****(Case T-706/21)**

(2022/C 37/55)

*Language of the case: German***Parties***Applicant:* Okan Balaban (Bornheim, Germany) (represented by: T. Schaaf, lawyer)