

**Action brought on 26 January 2022 — United Kingdom v Commission****(Case T-56/22)**

(2022/C 158/13)

*Language of the case: English***Parties**

*Applicant:* United Kingdom of Great Britain and Northern Ireland (represented by: L. Baxter, Agent, and T. Buley, Barrister)

*Defendant:* European Commission

**Form of order sought**

The applicants claim that the Court should:

- annul the defendant's Implementing Decision (EU) No 2021/2019 <sup>(1)</sup> in so far as it excludes from European Union's financing certain expenditure incurred by the applicant's accredited paying agencies under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) for the stated reason of weakness in the definition of 'active farmer — connected companies'; and
- order the defendant to pay the costs.

**Plea in law and main arguments**

In support of the action, the applicant relies on a single plea in law, alleging that the defendant's interpretation of Article 9(2) of Regulation (EU) No 1307/2013 <sup>(2)</sup> is wrong. In the applicant's view, Article 9(2) of Regulation (EU) No 1307/2013 is concerned only with direct payments to farmers (as defined in Article 4 of the aforementioned Regulation) who themselves operate the relevant infrastructure or services. The applicant maintains that the defendant held wrongly because:

- i. The language and the meaning of Article 9(2) of Regulation (EU) No 1307/2013 does not have the effect of prohibiting payments to a farmer merely because some connected entity undertakes an activity on the negative list in this article.
- ii. There is no purposive or teleological basis for the Commission's interpretation of Article 9(2) of Regulation (EU) No 1307/2013, which does not accord with the purposes of this article.

<sup>(1)</sup> OJ 2021, L 413, p. 3.

<sup>(2)</sup> Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ 2013, L 347, p. 608).

**Action brought on 16 February 2022 — Korporaciya 'Masternet'/EUIPO — Stayer Ibérica (STAYER)****(Case T-85/22)**

(2022/C 158/14)

*Language in which the application was lodged: English***Parties**

*Applicant:* ZAO Korporaciya 'Masternet' (Moscow, Russia) (represented by: N. Bürglen, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Stayer Ibérica, SA (Pinto, Spain)

### **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 word mark STAYER — European Union trade mark No 9 498 395

*Procedure before EUIPO:* Cancellation proceedings

*Contested decision:* Decision of the First Board of Appeal of EUIPO of 16 December 2021 in Case R 932/2021-1

### **Form of order sought**

The applicant claims that the Court should:

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

### **Plea in law**

- Infringement of Article 15 of Council Regulation (EC) No 207/2009.

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## **Action brought on 25 February 2022 — Hungary v Commission**

**(Case T-104/22)**

(2022/C 158/15)

*Language of the case: Hungarian*

### **Parties**

*Applicant:* Hungary (represented by: M. Z. Fehér and G. Koós, acting as Agents)

*Defendant:* European Commission

### **Form of order sought**

The applicant claims that the Court should:

- annul the Commission's decision of 14 December 2021 reviewing the objections raised by Hungary against disclosure, in relation to the confirmatory application GESTDEM 2021/2808, which is aimed at ensuring public access to documents originating from Hungary;
- order the Commission to pay the costs.

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

In the contested decision, the Commission granted partial public access to the documents requested by the applicant, even though the Hungarian authorities had expressly invoked the exception relating to the protection of the decision-making process laid down in Article 4(3) of Regulation No 1049/2001,<sup>(1)</sup> and the Commission had accepted this in the present case until the confirmatory application was made.