

- annul the decision of 17 June 2022 of the defendant rejecting the complaint of the applicant of 3 March 2022 against the decision of 17 December 2021;
- order the compensation of the moral prejudice suffered by the applicant evaluated ex aequo et bono to one hundred thousand Euros;
- order the defendant to pay the costs.

### **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-187/18, *VP v Cedefop* and, consequently, not to renew the employment contract of the applicant is vitiated by a breach of the obligation pursuant to Article 266 TFEU to comply with the Judgment in Case T-187/18 of 16 December 2020 and a manifest error of assessment.
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. Fourth plea in law, alleging that the defendant misused its power.

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### **Action brought on 13 September 2022 — Pierre Balmain v EUIPO — Story Time (Representation of a lion head)**

**(Case T-564/22)**

(2022/C 424/55)

*Language in which the application was lodged: English*

### **Parties**

*Applicant:* Pierre Balmain (Paris, France) (represented by: J. Iglesias Monravá and S. Mainar Roger, lawyers)

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

*Other party to the proceedings before the Board of Appeal:* Story Time sp. z o.o. (Poznań, Poland)

### **Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Applicant before the General Court

*Trade mark at issue:* Application for European Union figurative mark (Representation of a lion head) — Application for registration No 17 515 099

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 21 June 2022 in Case R 96/2022-4

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;

— order anyone opposing the action to pay the costs.

#### **Plea in law**

— 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 13 September 2022 — Sports Group Denmark v EUIPO (ENDURANCE)**

**(Case T-566/22)**

(2022/C 424/56)

*Language of the case: English*

#### **Parties**

*Applicant:* Sports Group Denmark A/S (Silkeborg, Denmark) (represented by: T. Kruse Lie, lawyer)

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

#### **Details of the proceedings before EUIPO**

*Trade mark at issue:* International registration designating the European Union in respect of the mark figurative ENDURANCE — Application for registration No 1 542 490

*Contested decision:* Decision of the Second Board of Appeal of EUIPO of 8 July 2022 in Case R 1779/2021-2

#### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision in so far as it refused registration as an European Union trade mark of the figurative sign ENDURANCE in respect of the goods and services in Classes 9, 25, 28 and 35;
- order EUIPO to bear its own costs and to pay those incurred by the applicant, including the expenses necessarily incurred for the purpose of the appeal proceedings before the Board of Appeal of EUIPO.

#### **Plea in law**

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

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### **Action brought on 15 September 2022 — Bora Creations v EUIPO — True Skincare (TRUE SKIN)**

**(Case T-576/22)**

(2022/C 424/57)

*Language in which the application was lodged: English*

#### **Parties**

*Applicant:* Bora Creations, SL (Andratx, Spain) (represented by: R. Lange and M. Ebner, lawyers)

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

*Other party to the proceedings before the Board of Appeal:* True Skincare Ltd (Ascot, United Kingdom)