

Details of the proceedings before EUIPO

Trade mark at issue: International registration designating the European Union in respect of the word mark 'Silent Loop'—
Application No 1 624 519

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 8 June 2023 in Case R 187/2023-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs of the proceedings, including those of the applicant.

Pleas in law

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

Action brought on 15 August 2023 — HX v Council

(Case T-502/23)

(2023/C 338/57)

Language of the case: Bulgarian

Parties

Applicant: HX (represented by: St. Koev, lawyer)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the Court should:

- declare the action admissible and well founded in its entirety and find that all the pleas in law set out therein are well founded;
- hold that the contested acts may be annulled in part;
- annul Council Decision (CFSP) 2023/1035 of 25 May 2023 amending Decision 2013/255/CFSP concerning restrictive measures in view of the situation in Syria, ⁽¹⁾ in so far as it concerns the applicant;
- annul Council Implementing Regulation (EU) 2023/1027 of 25 May 2023 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria, ⁽²⁾ in so far as it concerns the applicant, and
- order the Council of the European Union to pay all of the applicant's costs, expenses, fees and other expenditure linked to his defence.

Pleas in law and main arguments

In support of the action, the applicant relies on seven pleas in law.

1. First plea in law, alleging manifest infringement of the rights of the defence and the right to a fair trial.
2. Second plea in law, alleging failure to state reasons on the part of the Council.

3. Third plea in law, alleging infringement of the right to effective judicial protection.
4. Fourth plea in law, alleging an error of assessment on the part of the Council.
5. Fifth plea in law, alleging infringement of the right to property, of the principle of proportionality and of the freedom to conduct a business.
6. Sixth plea in law, alleging infringement of the right to a normal life.
7. Seventh plea in law, alleging a serious infringement of the right to the protection of reputation.

⁽¹⁾ OJ 2023 L 139, p. 49.

⁽²⁾ OJ 2023 L 139, p. 1.

Action brought on 16 August 2023 — Freistaat Bayern v EUIPO — BSGE (Neuschwanstein)

(Case T-506/23)

(2023/C 338/58)

Language in which the application was lodged: German

Parties

Applicant: Freistaat Bayern (represented by: M. Müller, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: BSGE Bundesverband Souvenir Geschenke Ehrenpreise eV (Veitsbronn, Germany)

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: EU word mark 'Neuschwanstein' — EU trade mark No 15 687 353

Proceedings before EUIPO: Cancellation proceedings

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 22 May 2023 in Case R 1013/2021-5

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 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.
