

Re:

Action on the basis of Article 263 TFEU for annulment, first, of Commission Decisions of 29 July and 19 August 2015 to suspend all payments that might be made to the applicant by Directorates E 'Health' and F 'Bio-economy' of its Directorate-General (DG) for Research and Innovation, secondly, Commission Decision of 25 August 2015 instructing the coordinator of project Biofactor not to transfer any amount to the applicant in the context of that project, thirdly, Commission Decision of 28 August 2015 maintaining the suspension of payments by Directorate E of its DG for Research and Innovation, fourthly, Commission Decision of 15 September 2015 instructing the coordinators of projects 'The hip trial' and EU-CERT-ICD not to transfer any amount to the applicant in the context of those projects, fifthly, Commission Decision of 5 October 2015, addressed to the coordinator of project NEMO, to consider the applicant's costs ineligible and to adjust as a result the payments due to the applicant, sixthly, Commission Decision of 14 October 2015, addressed to the coordinator of project Procardio, to suspend payments to the applicant by Directorate G 'Energy' of its DG for Research and Innovation, seventhly, Commission Decisions of 23 October and 6 November 2015 taken in execution of that decision of 28 August 2015 and addressed to the coordinators of projects LENA and Re-liver and, eighthly, Commission Decision of 11 November 2015, addressed to the coordinator of project ENS@T-Cancer, to consider the applicant's costs ineligible and to adjust as a result the payments due to it.

Operative part of the order

1. *There is no longer any need to adjudicate on the present action.*
2. *GABO:mi Gesellschaft für Ablauforganisation:milliarium mbH & Co. KG and the European Commission shall bear their own costs.*

⁽¹⁾ OJ C 27, 25.1.2016.

Order of the General Court of 24 June 2016 — Onix Asigurări v EIOPA

(Case T-590/15) ⁽¹⁾

(Action for failure to act, for annulment and for damages — Application for an inquiry to be opened into the alleged infringement of EU law — Decision of the Chair of EIOPA not to open an inquiry — Decision of the Appeals Committee to dismiss as inadmissible the complaint — Time-limits for bringing proceedings — Act not open to challenge — Infringement of essential procedural requirements — Action in part manifestly inadmissible and in part manifestly lacking any legal basis)

(2016/C 305/50)

Language of the case: Romanian

Parties

Applicant: Onix Asigurări SA (Bucarest, Romania) (represented by: M. Vladu, lawyer)

Defendant: European Insurance and Occupational Pensions Authority (represented by: C. Coucke and S. Dispiter, Agents, and H.-G. Kamman, lawyer)

Re:

First, primarily, an application based on Article 265 TFEU seeking a declaration that EIOPA illegally failed to take a decision against the incorrect application, by the Istituto per la Vigilanza sulle Assicurazioni (IVASS, the Italian supervisory authority for the insurance sector), of Article 40(6) of Council Directive 92/49/EEC of 18 June 1992 on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and amending Directives 73/239/EEC and 88/357/EEC (third non-life insurance Directive) (OJ 1992 L 228, p. 1) and, in the alternative, an application based on Article 263 TFEU and seeking annulment of the decision EIOPA-14-267 of the Chair of EIOPA dated 6 June 2014 on the opening of an inquiry under Article 17 of Regulation (EU) No 1094/2010 of the European Parliament and of the

Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC (OJ 2010 L 331, p. 48), and of Decision BOA 2015 001 of the Appeals Committee dated 3 August 2015, rejecting as inadmissible an appeal brought by Onix Asigurări under Article 60 of Regulation No 1094/2010 and, secondly, an application based on Article 268 TFEU and seeking compensation in respect of the harm allegedly suffered by the applicant on account of the abovementioned omission and the adoption of those decisions.

Operative part of the order

1. *The action is dismissed.*
2. *Onix Asigurări SA shall bear its own costs and pay those incurred by the European Insurance and Occupational Pensions Authority (EIOPA).*

⁽¹⁾ OJ C 414, 14.12.2015.

Order of the General Court of 17 June 2016 — Hako v EUIPO (SCRUBMASTER)

(Case T-629/15) ⁽¹⁾

(EU trade mark — Application for EU word mark SCRUBMASTER — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009 — Action manifestly lacking any foundation in law)

(2016/C 305/51)

Language of the case: German

Parties

Applicant: Hako GmbH (Bad Oldesloe, Germany) (represented by: A. Marx, lawyer)

Defendant: European Union Intellectual Property Office (represented by: D. Hanf, acting as Agent)

Re:

Action brought against the decision of the Fourth Board of Appeal of EUIPO of 1 September 2015 (Case R 2197/2014-4), concerning an application for registration of the word sign SCRUBMASTER as an EU trade mark.

Operative part of the order

1. *The action is dismissed.*
2. *Hako GmbH shall pay the costs.*

⁽¹⁾ OJ C 16, 18.1.2016.