

3. Third plea in law, alleging that the CST erred in law by holding that the harm claimed by the appellants was hypothetical.

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**Action brought on 7 October 2016 — Pebagua v Commission**

**(Case T-715/16)**

(2016/C 441/36)

*Language of the case: Spanish*

**Parties**

*Applicant:* Asociación de la pesca y acuicultura del entorno de Doñana y del Bajo Guadalquivir (Pebagua) (Isla Mayor, Spain) (represented by: A. J. Uceda Sosa, lawyer)

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the General Court should:

- annul the contested implementing regulation;
- in the alternative, annul the inclusion of the species *Procambarus clarkii* in the list adopted by that regulation;
- order the applicant to pay the costs.

**Pleas in law and main arguments**

The present action is brought against Commission Implementing Regulation (EU) 2016/1141 of 13 July 2016 adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council (OJ 2016 L 189, p. 4).

In support of its action, the applicant submits that, as regards the species *Procambarus clarkii*, the requirements laid down in Article 4 of Regulation 1143/2014 were not met and a risk assessment under the terms set out in Article 5(1) of that regulation was not carried out.

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**Action brought on 4 October 2016 — Waldhausen v EUIPO (Representation of the silhouette of a horse's head)**

**(Case T-717/16)**

(2016/C 441/37)

*Language of the case: German*

**Parties**

*Applicant:* Waldhausen GmbH & Co. KG (Cologne, Germany) (represented by: V. Ekey, lawyer)

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

**Details of the proceedings before EUIPO**

*Trade mark at issue:* EU figurative mark (Representation of the silhouette of a horse's head) — Application for registration No 14 588 933