

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- uphold the application for a declaration of partial invalidity of European Union trade mark registration No 5 399 787 for all the contested goods and services;
- order EUIPO to pay the costs.

Plea in law

- Infringement of Article 7(1)(b) and (c) in conjunction with Article 59(1)(a) of Regulation No 2017/1001.

Action brought on 16 February 2018 — DeepMind Technologies v EUIPO (STREAMS)**(Case T-97/18)**

(2018/C 134/47)

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

Applicant: DeepMind Technologies Ltd (London, United Kingdom) (represented by: T. St Quintin, barrister, K. Gilbert and G. Lodge, solicitors)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: EU word mark STREAMS — Application for registration No 15 166 176

Contested decision: Decision of the First Board of Appeal of EUIPO of 27 November 2017 in Case R 35/2017-1

Form of order sought

The applicant claims that the Court should:

- alter the contested decision because it infringes Article 7 EUTMR, alternatively;
- annul the contested decision on the same basis;
- order EUIPO to pay the costs.

Plea in law

- Infringement of Article 7 of Regulation No 2017/1001.

Action brought on 20 February 2018 — Multifit Tiernahrungs v EUIPO (MULTIFIT)**(Case T-98/18)**

(2018/C 134/48)

*Language of the case: German***Parties**

Applicant: Multifit Tiernahrungs GmbH (Krefeld, Germany) (represented by: N. Weber and L. Thiel, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Details of the proceedings before EUIPO

Trade mark at issue: Application for EU word mark MULTIFIT — Application No 15 996 291

Contested decision: Decision of the First Board of Appeal of EUIPO of 15 November 2017 in Case R 846/2017-1

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 7(1)(b) of Regulation 2017/1001.

Action brought on 19 February 2018 — Stamatopoulos v ENISA

(Case T-99/18)

(2018/C 134/49)

Language of the case: English

Parties

Applicant: Grigorios Stamatopoulos (Athens, Greece) (represented by: S. Pappas, lawyer)

Defendant: European Union Agency for Network and Information Security (ENISA)

Form of order sought

The applicant claims that the Court should:

- annul the ENISA HR Team decision of 25/07/2017, with which the applicant's application for the position of Head of Finance and Procurement at ENISA pursuant to the vacancy notice 'ENISA-TA16-AD-2017-03', was rejected, so that the Agency repeats the evaluation of the applicant's candidacy in a fair and transparent way;
- order the defendant to compensate the applicant for the moral damage he suffered from the illegalities vitiating the contested act with an amount of at least five thousand (5 000) euros; and
- order the defendant to bear its costs as well as the applicant's costs for the current proceedings.

Pleas in law and main arguments

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

1. With the first plea, the applicant claims that the contested act violates the defendant's duty to state reasons, as it lacks sufficient reasoning for the rejection of his candidacy. While ENISA provided the applicant with his score for each selection criterion and his total score, the evaluation of all the candidates was comparative in nature and thus the points awarded to each applicant were the result of such a comparative analysis. The applicant thus contends that, in view of the fact that ENISA failed to communicate to him a specific reasoning for the points awarded to him for each criterion, including the comparative advantages of the successful candidates who advanced to the interviews and tests stage, it failed to provide a sufficient reasoning that would allow the applicant to ascertain whether the act adversely affecting him was well founded and whether it was appropriate to bring proceedings before the Tribunal and, secondly, to enable the Tribunal to review the legality of the act.