

**Action brought on 17 August 2019 – Scandlines Danmark and Scandlines Deutschland v Commission****(Case T-566/19)**

(2019/C 348/17)

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

*Applicants:* Scandlines Danmark ApS (Copenhagen, Denmark), Scandlines Deutschland GmbH (Hamburg, Germany) (represented by: L. Sandberg-Mørch, lawyer)

*Defendant:* European Commission

**Form of order sought**

The applicants claim that the Court should:

- annul the decision of the European Commission of 22 July 2019 which partially rejected the applicants' request for an extension – until 5 September 2019 or until the end of August 2019 – of the deadline for submitting comments in the context of the formal investigation procedure in case SA. 39078 (2019/C) (ex 2014/N) – Financing of the Fehmarn Belt Fixed Link project;
- order the Commission to pay the costs.

**Pleas in law and main arguments**

In support of the action, the applicants rely on two pleas in law.

1. First plea in law, alleging that the Commission violated its obligation to motivate its decision not to grant an extension of the deadline in question until 5 September 2019 or 31 August 2019, as the contested decision contains no reasoning supporting this rejection, or, in any case, entails insufficient reasoning.
2. Second plea in law, alleging that the Commission infringed Article 6(1) of the Procedural Regulation, <sup>(1)</sup> and thereby also the applicants' right as interested parties to effectively participate in the formal investigation procedure regarding State aid case SA.39078, since the application was duly justified, well-founded and proportionate.

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<sup>(1)</sup> Council Regulation (EU) 2015/1589 of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union (OJ 2015 L 248, p. 9).

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**Action brought on 23 August 2019 – Victoria's Secret Stores Brand Management v EUIPO – Lacoste (LOVE PINK)****(Case T-582/19)**

(2019/C 348/18)

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

*Applicant:* Victoria's Secret Stores Brand Management, Inc. (Reynoldsburg, Ohio, United States) (represented by: J. Dickerson, Solicitor)

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

*Other party to the proceedings before the Board of Appeal:* Lacoste SA (Paris, France)

### **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 word mark LOVE PINK – Application for registration No 11 853 389

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the First Board of Appeal of EUIPO of 27 May 2019 in Case R 1078/2018-1

### **Form of order sought**

The applicant claims that the Court should:

- partially annul the contested decision, namely as far as it relates to the ground of opposition based on Article 8(1)(b) EUTMR;
- authorize for the registration of European Union trade mark Application No 11 853 389;
- order the Defendant to pay the costs of the action.

### **Plea in law**

- Infringement of Art 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

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**Action brought on 23 August 2019 – Electrolux Home Products v EUIPO – D. Consult (FRIGIDAIRE)**

**(Case T-583/19)**

(2019/C 348/19)

*Language of the case:* English

### **Parties**

*Applicant:* Electrolux Home Products, Inc. (Charlotte, North Carolina, United States) (represented by: P. Brownlow, Solicitor)

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

*Other party to the proceedings before the Board of Appeal:* D. Consult (Wattignies, France)

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

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

*Trade mark at issue:* European Union word mark FRIGIDAIRE - European Union trade mark registration No 71 241