

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 21 March 2022 in Case R 1025/2021-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to bear the costs of proceedings.

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;
- Infringement of Article 94(1) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 25 May 2022 — Abramovich v Council

(Case T-313/22)

(2022/C 266/40)

Language of the case: French

Parties

Applicant: Roman Arkadyevich Abramovich (Nemchinovo, Russia) (represented by: T. Bontinck, A. Guillerme and T. Payan, lawyers)

Defendant: Council of the European Union

Form of order sought

The applicant claims that the General Court should:

- annul Council Decision (CFSP) 2022/429 ⁽¹⁾ of 15 March 2022 in so far as it includes the name of the applicant in the Annex to Council Decision 2014/145/CFSP of 17 March 2014;
- annul Council Implementing Regulation (EU) 2022/427 ⁽²⁾ of 15 March 2022 in so far as it includes the name of the applicant in the Annex to Council Regulation (EU) No 2014/269 of 17 March 2014;
- order the Council to make a provisional payment of EUR 1 000 000 to the charitable foundation for victims of conflicts which is being established in connection with the sale of Chelsea FC, in respect of the non-material damage which the applicant claims to have suffered;
- order the Council to pay the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging infringement of the right to effective judicial protection and the administration's obligation to state reasons.

2. Second plea in law, alleging a manifest error of assessment as to the Council's reasons.
3. Third plea in law, alleging infringement of the principle of proportionality and the principle of equal treatment in so far as concerns the adoption of restrictive measures against the applicant.
4. Fourth plea in law, alleging infringement of fundamental rights and unjustified interference in the applicant's fundamental rights guaranteed by the Charter of Fundamental Rights of the European Union.

(¹) Council Decision (CFSP) 2022/429 of 15 March 2022 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2022 L 87 I, p. 44).

(²) Council Implementing Regulation (EU) 2022/427 of 15 March 2022 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ 2022 L 87 I, p. 1).
