

**Form of order sought by the appellant**

The appellant claims that the Court should:

- Uphold the present appeal and, partially reversing the judgment under appeal, annul points 2 and 3 of the operative part, together with paragraphs 59 to 64 of the judgment itself;
- Consequently, annul the guidelines established for the year 2011 or declare that they are no longer applicable; order the EIB to compensate Dr De Nicola for the damage suffered, as requested in the application initiating proceedings or, in the alternative, refer the case to another Chamber of the Civil Service Tribunal in order that it may, in a different formation, give a fresh decision on the annulled paragraphs;
- Order the European Investment Bank to pay the costs.

**Grounds of appeal and main arguments**

The present appeal is brought against the judgment of the Civil Service Tribunal (single Judge) of 18 December 2015 in *De Nicola v European Investment Bank* (F-55/13).

The grounds of appeal and main arguments are those relied on in Case T-55/16 P *De Nicola v European Investment Bank*.

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**Action brought on 12 February 2016 — Coca-Cola v EUIPO — Mitico (Master)****(Case T-61/16)**

(2016/C 111/46)

*Language in which the application was lodged: English***Parties**

*Applicant:* The Coca-Cola Company (Atlanta, United States) (represented by: S. Malynicz and S. Baran, Barristers; D. Stone and A. Dykes, Solicitors)

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

*Other party to the proceedings before the Board of Appeal:* Modern Industrial & Trading Investment Co. Ltd (Mitico) (Damascus, Syria)

**Details of the proceedings before EUIPO**

*Applicant of the trade mark at issue:* Other party to the proceedings before the Board of Appeal

*Trade mark at issue:* EU figurative mark containing the word element 'Master' — Application for registration No 9 091 612

*Procedure before EUIPO:* Opposition proceedings

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 2 December 2015 in Case R 1251/2015-4

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;

- order EUIPO and the EU trade mark Applicant to bear their own costs and pay those costs of the Applicant for Annulment at every stage of the opposition and appeal process, including the costs of these proceedings.

**Pleas in law**

- Infringement of Article 8(5)(b) of Regulation No 207/2009;
- Infringement of Article 65(6) of Regulation No 207/2009.

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**Action brought on 15 February 2016 — Michał Wieromiejczyk v EUIPO (Tasty Puff)****(Case T-64/16)**

(2016/C 111/47)

*Language of the case: Polish***Parties***Applicant:* Michał Wieromiejczyk (Pabianice, Poland) (represented by: R. Rumpel, lawyer)*Defendant:* European Union Intellectual Property Office (EUIPO)**Details of the proceedings before EUIPO***Trade mark at issue:* European Union figurative mark containing the word elements ‘Tasty Puff’ — Application for registration No 13 072 061*Contested decision:* Decision of the Fifth Board of Appeal of EUIPO of 5 November 2015 in Case R 3058/2014-5**Form of order sought**

The applicant claims that the Court should:

- declare the action to be well founded;
- annul the contested decision;
- amend the contested decision by requiring EUIPO to grant the right to Trade Mark No 13072061 ‘Tasty Puff’;
- order EUIPO to pay the costs of the proceedings.

**Pleas in law**

Breach of Article 7(1)(b) and (c) of Regulation No 207/2009;

Breach of Article 7(2) of Regulation No 207/2009.

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**Action brought on 15 February 2016 — fleur ami v EUIPO — 8 Seasons Design (Lamps)****(Case T-67/16)**

(2016/C 111/48)

*Language in which the application was lodged: German***Parties***Applicant:* fleur ami GmbH (Willich, Germany) (represented by: B. Potthoff, lawyer)