

Pleas in law and main arguments

The contested decision in these proceedings is the same as that in Cases T-12/15, *Banco de Santander and Santusa v Commission*, and T-252/15 *Ferrovial SA and others v Commission*.

The pleas and main arguments relied on are similar to those already raised in those cases.

Action brought on 22 May 2015 — Axa Mediterranean Holding v Commission**(Case T-258/15)**

(2015/C 245/46)

*Language of the case: Spanish***Parties**

Applicant: Axa Mediterranean Holding, S.A (Palma de Mallorca, Spain) (represented by: J. Buendía Sierra, D. Armesto Macías and A. Balcells Cartagena, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the General Court should:

- annul Article 1 of the contested decision in so far as it declares that the new administrative interpretation of Article 12 TRLIS adopted by the Spanish administration must be regarded as state aid which is incompatible with the interior market;
- annul Article 4(1) of the contested decision in so far as it requires the Kingdom of Spain to put an end to the alleged aid scheme as described in Article 1;
- annul Article 4(2)(3)(4) and (5) of the contested decision in so far as it requires the Kingdom of Spain to recover the amounts considered by the Commission to be State aid;
- in the alternative, limit the scope of the recovery obligation imposed on the Kingdom of Spain by Article 4(2) of the contested decision in the same terms as in the first and second decisions; and
- order the Commission to pay the costs.

Pleas in law and main arguments

The contested decision in the present proceedings is the same as in cases T-12/15, *Banco de Santander and Santusa v Commission* and T-252/15 *Ferrovial SA and Others v Commission*.

The pleas in law and the main arguments put forward are similar to those relied on in those cases.

Action brought on 22 May 2015 — Spirig Pharma v OHIM (Daylong)**(Case T-261/15)**

(2015/C 245/47)

*Language of the case: French***Parties**

Applicant: Spirig Pharma (Egerkingen, Switzerland) (represented by: T. de Haan and P. Péters, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)

Details of the proceedings before OHIM

Trade mark at issue: figurative mark containing the word element 'Daylong' — Application for registration No 12 537 627

Contested decision: Decision of the Fourth Board of Appeal of OHIM of 24 March 2015 in Case R 2455/2014-4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order OHIM to pay the costs, including those of the applicant in the course of the proceedings before the fourth Board of Appeal of the Office.

Pleas in law

- Infringement of Article 7(1)(c) of Regulation No 207/2009, read in conjunction with Article 75 of the same regulation;
- Infringement of Article 7(1)(b) of Regulation No 207/2009.

Action brought on 27 May 2015 — db Technologies Deutschland v OHIM — MIP Metro (Sigma)
(Case T-267/15)
(2015/C 245/48)

Language in which the application was lodged: German

Parties

Applicant: db Technologies Deutschland GmbH (Cologne, Germany) (represented by: K. Zingsheim, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)

Other party to the proceedings before the Board of Appeal: MIP Metro Group Intellectual Property GmbH & Co. KG (Düsseldorf, Germany)

Details of the proceedings before OHIM

Applicant: Applicant

Trade mark at issue: Community word mark 'Sigma' — Application No 10 779 734

Procedure before OHIM: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of OHIM of 23 March 2015 in Case R 1444/2014-4