

Pleas in law and main arguments

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

1. First plea in law, alleging infringement of Article 266 TFEU in that the contested decision does not comply with the operative part of the judgment of the Civil Service Tribunal of 15 April 2015 (F-96/13, EU:F:2015:29) and of the judgment of the General Court of 13 December 2018 (T-689/16, not published, EU:T:2018:925) in the light of the grounds constituting their essential bases, in so far as they are necessary for the purpose of determining the exact meaning of what is stated in the operative part.
2. Second plea in law, alleging infringement of Articles 2 and 22a of the Staff Regulations of Officials of the European Union in that the contested decision was taken by an authority not competent to do so and infringement of the obligation to state reasons and of the duty of sincere cooperation.

Action brought on 2 June 2020 — Indo European Foods v EUIPO — Chakari (Abresham Super Basmati Sela Grade One World's Best Rice)

(Case T-342/20)

(2020/C 262/42)

Language of the case: English

Parties

Applicant: Indo European Foods Ltd (Harrow, United Kingdom) (represented by: A. Norris, Barrister and N. Welch, Solicitor)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Hamid Ahmad Chakari (Vienna, Austria)

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: Application for European Union figurative mark, in colour, Abresham Super Basmati Sela Grade One World's Best Rice— Application for registration No 16 860 868

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 2 April 2020 in Case R 1079/2019–4

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- uphold the opposition in respect of all of the goods;
- alternatively, remit the matter to the EUIPO for re-consideration;
- order EUIPO to pay the costs incurred by the applicant in connection with this appeal, the appeal before the Board and the Opposition Division.

Plea in law

— Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 3 June 2020 — AC Milan v EUIPO — InterES (ACM 1899 AC MILAN)

(Case T-353/20)

(2020/C 262/43)

Language of the case: English

Parties

Applicant: Associazione Calcio Milan SpA (AC Milan) (Milan, Italy) (represented by: A. Perani and G. Ghisletti, lawyers)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: InterES Handels- und Dienstleistungs Gesellschaft mbH & Co. KG (Nuremberg, Germany)

Details of the proceedings before EUIPO

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

Trade mark at issue: International registration designating the European Union in respect of the figurative mark ACM 1899 AC MILAN in red, black and white — International registration designating the European Union No 1 329 545

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Second Board of Appeal of EUIPO of 14 February 2020 in Case R 161/2019-2

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to bear the fees and costs incurred by the applicant in the present proceeding.

Pleas in law

- Infringement of Article 10(3) of Commission Delegated Regulation (EU) 2018/625;
 - Infringement of Article 18(1)(a) of Regulation (EU) 2017/1001 of the European Parliament and of the Council
 - Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.
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