

**Action brought on 23 September 2021 — ADS L. Kowalik, B. Włodarczyk v EUIPO — ESSAtech  
(Remote controls [wireless] (Accessories for -))**

**(Case T-611/21)**

(2021/C 502/51)

*Language in which the application was lodged: Polish*

**Parties**

*Applicant:* ADS L. Kowalik, B. Włodarczyk s.c. (Sosnowiec, Poland) (represented by: M. Oleksyn, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* ESSAtech (Přistoupim, Czech Republic)

**Details of the proceedings before EUIPO**

*Proprietor of the design at issue:* Applicant

*Design at issue:* EU design Remote controls [wireless] (Accessories for -) — EU design No 4 539 302-0001

*Contested decision:* Decision of the Third Board of Appeal of EUIPO of 5 July 2021 in Case R 1070/2020-3

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the other party to the proceedings to bear their own costs, and order EUIPO and the other party to the proceedings to pay the costs incurred by the applicant, including those incurred in the proceedings before EUIPO.

**Pleas in law**

- Infringements of Article 8(1) of Council Regulation (EC) No 6/2002, read in conjunction with Article 25(1)(b) thereof, and breaches of the rule of law established in *DOCERAM*, C-395/16, <sup>(1)</sup> as well as infringement of Article 41(2)(c) and Article 41(1) of the Charter of Fundamental Rights of the European Union (right to good administration);
- Infringements of Article 63(1) of that regulation, read in conjunction with Article 63(2) thereof, and breaches of the rule of law established in *DOCERAM*, C-395/16, as well as infringement of Article 41(2)(c) and Article 41(1) of the Charter of Fundamental Rights of the European Union (right to good administration).

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<sup>(1)</sup> Judgment of 8 March 2018, *DOCERAM*, C-395/16, EU:C:2018:172.

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(Remote controls [wireless] (Accessories for -))**

**(Case T-612/21)**

(2021/C 502/52)

*Language in which the application was lodged: Polish*

**Parties**

*Applicant:* ADS L. Kowalik, B. Włodarczyk s.c. (Sosnowiec, Poland) (represented by: M. Oleksyn, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* ESSAtech (Přistoupim, Czech Republic)

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

*Proprietor of the design at issue:* Applicant

*Design at issue:* EU design Remote controls [wireless] (Accessories for -) — EU design No 4 539 302-0003

*Contested decision:* Decision of the Third Board of Appeal of EUIPO of 14 July 2021 in Case R 1072/2020-3

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO and the other party to the proceedings to bear their own costs, and order EUIPO and the other party to the proceedings to pay the costs incurred by the applicant, including those incurred in the proceedings before EUIPO.

### **Pleas in law**

- Infringements of Article 8(1) of Council Regulation (EC) No 6/2002, read in conjunction with Article 25(1)(b) thereof, and breaches of the rule of law established in *DOCERAM*, C-395/16, <sup>(1)</sup> as well as infringement of Article 41(2)(c) and Article 41(1) of the Charter of Fundamental Rights of the European Union (right to good administration);
- Infringements of Article 63(1) of that regulation, read in conjunction with Article 63(2) thereof, and breaches of the rule of law established in *DOCERAM*, C-395/16, as well as infringement of Article 41(2)(c) and Article 41(1) of the Charter of Fundamental Rights of the European Union (right to good administration).

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<sup>(1)</sup> Judgment of 8 March 2018, *DOCERAM*, C-395/16, EU:C:2018:172.

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## **Action brought on 30 September 2021 — Rimini Street v EUIPO (WE DO SUPPORT)**

**(Case T-634/21)**

(2021/C 502/53)

*Language of the case: English*

### **Parties**

*Applicant:* Rimini Street, Inc. (Las Vegas, Nevada, United States) (represented by: E. Ratjen, lawyer)

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

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

*Trade mark at issue:* International registration designating the European Union in respect of the word mark WE DO SUPPORT — Application for registration No 1 559 178

*Contested decision:* Decision of the Fourth Board of Appeal of EUIPO of 3 August 2021 in Case R 710/2021-4

### **Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;