

**Details of the proceedings before the CPVO**

*Proprietor of the contested plant varieties:* Other party to the proceedings before the Board of Appeal

*Plant variety at issue:* Plant variety right for the apple variety 'PINOVA' — Certificate No EU 1298

*Procedure before the CPVO:* Nullity proceedings

*Contested decision:* Decision of the Board of Appeal of the CPVO of 16 August 2017 in Case A005/2016

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order the CPVO to pay the costs.

**Plea in law**

- Infringement of Article 20(1)(a), in conjunction with Articles 10 and 116(1), of Regulation No 2100/94.

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**Action brought on 23 November 2017 — Eglo Leuchten v EUIPO — Di-Ka (Design for lights)**

**(Case T-766/17)**

(2018/C 022/76)

*Language in which the application was lodged: German*

**Parties**

*Applicant:* Eglo Leuchten GmbH (Pill, Austria) (represented by: H. Lauf, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Di-Ka Vertriebs GmbH & Co. KG (Arnsberg, Germany)

**Details of the proceedings before EUIPO**

*Proprietor of the contested design:* Other party to the proceedings before the Board of Appeal

*Design at issue:* Community design No 2 435 768-0033

*Contested decision:* Decision of the Third Board of Appeal of EUIPO of 26 September 2017 in Case R 738/2016-3

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs.

**Plea in law**

- Infringement of Article 6(1)(b) and Article 6(2) of Regulation No 6/2002.
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