

7. Seventh plea in law, alleging that the Second Amending Measures are disproportionate to the aim of the Decision and, in consequence, unduly encroach upon Union legislative competences and entail a disproportionate interference with the Applicants' fundamental rights.
8. Eighth plea in law, alleging that the Second Amending Measures entail a misuse of powers.
9. Ninth plea in law, alleging that the Second Amending Measures offend against the principle of legal certainty owing to the lack of clarity of key terms.

⁽¹⁾ OJ L 349, 5/12/2014, p. 58.

⁽²⁾ OJ L 349, 5/12/2014, p. 20.

**Action brought on 25 February 2015 — Opko Ireland Global Holdings v OHIM — Teva
Pharmaceutical Industries (ALPHAREN)**

(Case T-106/15)

(2015/C 228/19)

Language in which the application was lodged: English

Parties

Applicant: Opko Ireland Global Holdings Ltd (Dublin, Ireland) (represented by: S. Malynicz, Barrister, and A. Smith, Solicitor)

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

Other party to the proceedings before the Board of Appeal: Teva Pharmaceutical Industries Ltd (Jerusalem, Israel)

Details of the proceedings before OHIM

Applicant: Applicant

Trade mark at issue: Community word mark 'ALPHAREN' — Application for registration No 4 320 297

Procedure before OHIM: Opposition proceedings

Contested decision: Decision of the Fifth Board of Appeal of OHIM of 26 November 2014 in Case R 2387/2014-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order OHIM to pay its own costs and those of the applicant.

Pleas in law

- Infringement of Article 1(d)(2) of Regulation No 216/96 in that a member of the Board who took the original 2009 Board of Appeal decision was also a member of the Board that took the contested decision;
- Infringement of Article 50 of the Implementing Regulation by relying upon new evidence not before OHIM at the first hearing of the opposition;

- Infringement of Article 8(1)(b) of Regulation No 207/2009 by failing to impose the burden of proof in the opposition to prove the similarity of the goods in issue upon the opponent;
- Infringement of Article 8(1)(b) of Regulation No 207/2009 in that the Board of Appeal erred in relation to the identification of the relevant public and overall in the assessment of the likelihood of confusion.

Action brought on 20 March 2015 — Evropaiki Dynamiki/Parliament

(Case T-136/15)

(2015/C 228/20)

Language of the case: English

Parties

Applicant: Evropaiki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: I. Ampazis and M. Sfyri, lawyers)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- annul the decision of 13 February 2015 (302534) of the vice president of the European Parliament rejecting the confirmatory application of the applicant for access to European Parliament documents relating to all requests for quotation in all lots of Call for Tenders No ITS08 — External service provision for IT services 2008S/149-199622 (pursuant to Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents) and confirming the decision of the Parliament's Secretary General dated 18 December 2014, and
- order the Parliament to pay the applicant's legal and other costs and expenses incurred in connection with this application, even if the application is rejected.

Pleas in law and main arguments

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

1. First, the applicant argues that the Parliament did not proceed to an individual assessment of the requested documents and refused even partial access to the requested documents, in breach of article 4(6) of Regulation No 1049/2001 ⁽¹⁾.
2. Second, the applicant contends that the justifications provided for by the Parliament with regards to the protection of public security, privacy of the individual, commercial interests of a natural or legal person and decision making progress should be rejected as wholly unfounded.

⁽¹⁾ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001, L 145, p. 43).

Action brought on 31 March 2015 — European Dynamics Luxembourg and Evropaiki Dynamiki v Parliament

(Case T-164/15)

(2015/C 228/21)

Language of the case: Greek

Parties

Applicant: European Dynamics Luxembourg (Luxembourg, Luxembourg), Evropaiki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: I. Ambazis and M. Sfiri, lawyers)