

Action brought on 24 January 2020 — Di Bernardo v Commission**(Case T-41/20)**

(2020/C 77/81)

*Language of the case: French***Parties***Applicant:* Danilo di Bernardo (Brussels, Belgium) (represented by: S. Orlandi and T. Martin, lawyers)*Defendant:* European Commission**Form of order sought**

The applicant claims that the Court should:

- annul the decision of 13 March 2019 taken with a view to complying with the judgment of 29 November 2018 in Case T-811/16;
- order the Commission to pay the applicant, as compensation for material harm caused to the applicant, a sum of EUR 50 000 as well as a sum of EUR 7 000, subject to increase in the course of the proceedings, as compensation for his moral harm;
- order the Commission to pay the costs.

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 an infringement of the competition notice by the Examining Board in so far as the eligibility criteria that it laid down unlawfully restrict the scope of that notice. The applicant claims in that regard that, by adopting eligibility criteria which had the effect of excluding the taking into account of experience similar to that of the applicant, experience nevertheless compatible with the requirements of the competition notice, the Examining Board infringed the latter.
2. Second plea in law, alleging manifest errors of assessment vitiating the contested decision and relating to the question whether the applicant's professional experience is related to the responsibilities described in the competition notice.

Action brought on 27 January 2020 – KRBL v EUIPO – P.K. Overseas (INDIA SALAM Pure Basmati Rice)**(Case T-45/20)**

(2020/C 77/82)

*Language of the case: English***Parties***Applicant:* KRBL Ltd (Delhi, India) (represented by: P. Strickland, Solicitor)*Defendant:* European Union Intellectual Property Office (EUIPO)*Other party to the proceedings before the Board of Appeal:* P.K. Overseas Pte Ltd (Singapore, Singapore)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Other party to the proceedings before the Board of Appeal

Trade mark at issue: International registration designating the European Union in respect of the figurative mark INDIA SALAM Pure Basmati Rice with the colour indications light brown, sepia and white yellow – International registration designating the European Union No 1 126 413

Procedure before EUIPO: Opposition proceedings

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 26 November 2019 in Case R 766/2019-4

Form of order sought

The applicant claims that the Court should:

- allow the appeal and refuse the application;
- annul the contested decision;
- annul the decision of the Opposition Division of 13 February 2019 relating to Opposition Proceedings No B 2 201 385;
- order EUIPO to pay the costs of these proceedings.

Pleas in law

- Infringement of Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 8(4) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Order of the General Court of 22 January 2020 — La Marchesiana v EUIPO — Marchesi 1824 (MARCHESI)

(Case T-35/18) ⁽¹⁾

(2020/C 77/83)

Language of the case: English

The President of the Ninth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 142, 23.4.2018.
