

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

### **Details of the proceedings before OHIM**

*Trade mark at issue:* Community figurative mark containing the word elements ‘TRIPLE BONUS’ — Application for registration No 12 013 629

*Contested decision:* Decision of the Fourth Board of Appeal of OHIM of 15 April 2015 in Case R 1648/2014-4

### **Form of order sought**

The applicant claims that the Court should:

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

### **Plea in law**

- Infringement of Article 7(1)(b) and (c) of Regulation No 207/2009.

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## **Action brought on 22 June 2015 — GSA and SGI Security v Parliament**

**(Case T-321/15)**

**(2015/C 262/49)**

*Language of the case: French*

### **Parties**

*Applicants:* Gruppo Servizi Associati SpA (GSA) (Rome, Italy) and Security Guardian's Institute (SGI Security) (Bierges, Belgium) (represented by: E. van Nuffel d'Heynsbroeck, lawyer)

*Defendant:* European Parliament

### **Form of order sought**

The applicants claim that the General Court should:

- annul the Parliament's decision notified on 12 June 2015 declaring non-compliant the tender submitted by Gruppo Servizi Associati s.p.a. and Security Guardian's Institute s.a. in respect of the tendering procedure for service contract EP/DGSAFE/UIB/SER/2014-014 for the provision of fire security, assistance to persons and external surveillance at the European Parliament's site in Brussels, and its decision to award the contract to another tenderer;
- order the Parliament to pay the costs.

### **Pleas in law and main arguments**

In support of the action, the applicants rely on two pleas in law.

1. First plea, alleging infringement of the principles of proportionality and equal treatment, in so far as the Parliament unjustifiably required all of the members of the consortium to hold an authorisation pursuant to the Law of 10 April 1990 regulating private and special security services, thereby imposing the requirement on members of the consortium who would not provide services subject to that law.

2. Second plea, submitted in the alternative, alleging infringement of the freedom to provide services and the underlying principles of equal treatment and proportionality, in so far as the requirement to hold an authorisation pursuant to the Law of 10 April 1990 made it excessively difficult, or even impossible, for a company which provides a service that is not subject to that law to participate in the contract award procedure.

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**Action brought on 23 June 2015 — Bimbo v OHIM (THE SNACK COMPANY)**

**(Case T-331/15)**

(2015/C 262/50)

*Language of the case: Spanish*

**Parties**

*Applicant:* Bimbo, SA (Barcelona, Spain) (represented by: J. Carbonell Callicó, lawyer)

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

**Details of the proceedings before OHIM**

*Trade mark at issue:* Community figurative mark containing the word elements ‘THE SNACK COMPANY’ — Application for registration No 12 173 852

*Contested decision:* Decision of the Second Board of Appeal of OHIM of 31 March 2015 in Case R 954/2014-2

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- grant registration of the trade mark applied for;
- order OHIM to pay the costs.

**Pleas in law**

- Infringement of Article 7(1)(b) and (c) and (2) of Regulation No 207/2009;
- Infringement of the principle of equal treatment;
- Infringement of Article 75 of Regulation No 207/2009.

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**Action brought on 24 June 2015 — Josel v OHIM — Nationale-Nederlanden Nederland (NN)**

**(Case T-333/15)**

(2015/C 262/51)

*Language in which the application was lodged: Spanish*

**Parties**

*Applicant:* Josel, SL (Barcelona, Spain) (represented by: J. L. Rivas Zurdo, lawyer)

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

*Other party to the proceedings before the Board of Appeal:* Nationale-Nederlanden Nederland BV (Amsterdam, Netherlands)