

5. Fifth plea in law, alleging infringement of the principle of equal treatment and, in particular, infringement of Article 1d of the Staff Regulations on the grounds of gender and language discrimination and infringement of the principle of proportionality. The applicant considers that restricting the languages which may be used during the interview to English constitutes a clear infringement of Article 1d of the Staff Regulations, as Ms [X] had English as her second language, whereas English was only the applicant's third language. Furthermore, he had significantly more management experience than Ms [X], with the result that discrimination on the grounds of gender cannot be ruled out, given that other elements in the file indicate that, in internal selection procedures, the Council has a tendency to choose women in order to compensate for appointing men in external selection procedures. Lastly, the applicant submits that an irrational choice has thus been made, since it gives a single language both an advantage and a preferential status, contrary to the principle of proportionality.

**Action brought on 17 August 2017 — Staropilsen v EUIPO — Pivovary Staropramen
(STAROPILSEN; STAROPLZEN)**

(Case T-556/17)

(2017/C 347/56)

Language in which the application was lodged: English

Parties

Applicant: Staropilsen s. r. o. (Pilsen, Czech Republic) (represented by: A. Kodrasová, lawyer)

Defendant: European Union Intellectual Property Office (EUIPO)

Other party to the proceedings before the Board of Appeal: Pivovary Staropramen s. r. o. (Prague, Czech Republic)

Details of the proceedings before EUIPO

Proprietor of the trade mark at issue: Applicant

Trade mark at issue: EU word mark 'STAROPILSEN; STAROPLZEN' — EU trade mark No 9 034 893

Procedure before EUIPO: Proceedings for a declaration of invalidity

Contested decision: Decision of the Fourth Board of Appeal of EUIPO of 20 June 2017 in Case R 236/2017-4

Form of order sought

The applicant claims that the Court should:

- cancel the contested decision;
- order the defendant to pay the costs.

Plea in law

- Infringement of Articles 53(1)(a) and 8(1)(a) Regulation No 207/2009.

Action brought on 9 August 2017 — Abdulkarim v Council

(Case T-559/17)

(2017/C 347/57)

Language of the case: French

Parties

Applicant: Mouhamad Wael Abdulkarim (Dubai, United Arab Emirates) (represented by: J.-P. Buyle and L. Cloquet, lawyers)