

Contested decision: Decision of the Fifth Board of Appeal of EUIPO of 30 July 2019 in Case R 1759/2018-5

Form of order sought

The applicant claims that the Court should:

- annul the contested decision in its entirety and maintain the registration in respect of the relevant goods;
- order EUIPO and any party involved in the proceedings before the Board of Appeal to bear their own costs and pay the applicant's costs of the proceedings before the General Court, the Board of Appeal and the Cancellation Division.

Plea in law

- Infringement of Article 60(1)(a), in combination with Article 8(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 9 October 2019 — FI v Commission

(Case T-694/19)

(2019/C 399/121)

Language of the case: French

Parties

Applicant: FI (represented by: F. Moyse, lawyer)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the decision of 8 March 2019, the decision of 1 April 2019, and the decision of 12 August 2019;
- order the Commission to pay the costs.

Pleas in law and main arguments

In support of his action against the Commission's decisions of 8 March, 1 April and 12 August 2019 refusing to grant him a survivor's pension, the applicant relies on four pleas in law.

1. First plea in law, alleging that Articles 18 to 20 of Annex VIII to the Staff Regulations of Officials of the European Union ('the Staff Regulations') are unlawful because they are in breach of the principle of equal treatment and discriminate on the grounds of age, the nature of the legal relationship of a couple's life together, and disability.

2. Second plea in law, alleging an error of law in applying Articles 18 and 20 of Annex VIII to the Staff Regulations, in that the Commission should have interpreted those provisions as referring to living together as a married couple, whether the couple is married, in a civil partnership, or cohabiting.
 3. Third plea in law, alleging an error in interpreting the concept of a spouse for the purpose of the system applicable to the survivor's pension, on the ground that the evolution of Western society calls for a broad interpretation of that concept.
 4. Fourth plea in law, alleging a manifest error of assessment resulting from a failure to take account of the applicant's individual situation. The applicant argues in that regard, first, that he lived with his wife for more than 19 years and, second, that their marriage lasted 4 years, 7 months and 8 days.
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Order of the General Court of 17 September 2019 — Fastweb v Commission

(Case T-19/17) ⁽¹⁾

(2019/C 399/122)

Language of the case: Italian

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

⁽¹⁾ OJ C 70, 6.3.2017.

Order of the General Court of 12 September 2019 — RATP v Commission

(Case T-250/18) ⁽¹⁾

(2019/C 399/123)

Language of the case: French

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

⁽¹⁾ OJ C 206, 17.6.2019.
