

**Form of order sought**

The applicant claims that the Court should:

- annul the contested decision;
- reject the opposition decision in respect of all of the remaining contested goods;
- alternatively, remit the matter to the EUIPO for re-consideration;
- order to pay its costs incurred in connection with this appeal, the appeal before the Board and the Opposition.

**Plea in law**

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

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**Action brought on 18 April 2020 — Al-Imam v Council**

**(Case T-203/20)**

(2020/C 201/58)

*Language of the case: French*

**Parties**

*Applicant:* Maher Al-Imam (Damascus, Syria) (represented by: M. Brillat, lawyer)

*Defendant:* Council of the European Union

**Forms of order sought**

The applicant claims that the Court should:

- admit the applicant's action;
- declare unlawful Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011, in so far as concerns the applicant; Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria, in so far as concerns the applicant; Council Implementing Regulation (EU) 2020/211 of 17 February 2020 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria, in so far as concerns the applicant; Council Implementing Decision (CFSP) 2020/212 of 17 February 2020 implementing Decision 2013/255/CFSP concerning restrictive measures against Syria, in so far as concerns the applicant;
- consequently, annul Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011, in so far as it concerns the applicant; Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria, in so far as concerns the applicant; Council Implementing Regulation (EU) 2020/211 of 17 February 2020 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria, in so far as concerns the applicant; Council Implementing Decision (CFSP) 2020/212 of 17 February 2020 implementing Decision 2013/255/CFSP concerning restrictive measures against Syria, in so far as concerns the applicant;
- order the Council to pay the sum of EUR 10 000 per week from 18 February 2020 to the applicant as compensation for the material damage suffered as a result of the adoption of the contested measures;

- order the Council to pay the sum of EUR 15 000 per week from 18 February 2020 to the applicant as compensation for the non-material damage suffered as a result of the adoption of the contested measures;
- order the Council to make good any future damage which the applicant will suffer as a result of the adoption of the contested decisions;
- order the Council to pay the costs and expenses.

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

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

1. The first plea in law, alleging an infringement of the applicant's fundamental rights during the procedure for the adoption of the contested acts. That plea is divided into two parts:
  - First part, alleging an infringement of the applicant's rights of defence, that is to say, the right to be heard and the *audi alteram partem* rule.
  - Second part, alleging an infringement of the right to an effective judicial remedy.
2. Second plea in law, alleging a manifest error of assessment in the adoption of the contested acts. That plea is divided into two parts:
  - First part, alleging that there is insufficient evidence to justify the inclusion of the applicant on the list of persons subject to restrictive measures.
  - Second part, alleging distortion of the facts.
3. Third plea in law, alleging unlawful and disproportionate interference with the applicant's fundamental rights by reason of the content of the contested acts. That plea is divided into two parts:
  - First part, alleging an infringement of the right to property.
  - Second part, alleging an infringement of the right to private and family life.

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### **Action brought on 19 April 2020 –Zoom v EUIPO — Facetec (ZOOM)**

**(Case T-204/20)**

(2020/C 201/59)

*Language of the case: English*

### **Parties**

*Applicant:* Zoom KK (Tokyo, Japan) (represented by: M. de Arpe Tejero, lawyer)

*Defendant:* European Union Intellectual Property Office (EUIPO)

*Other party to the proceedings before the Board of Appeal:* Facetec Inc. (Las Vegas, Nevada, United States)

### **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 word mark ZOOM — International registration designating the European Union No 1 323 959