



# Model summary of the pleas in law and main arguments relied on in the application

September 2024

**There is provision for the preparation of a summary of the pleas in law and arguments relied on in the application initiating proceedings in direct actions other than those relating to intellectual property rights in points 167 and 168 of the Practice Rules for the implementation of the Rules of Procedure of the General Court (OJ L 2024/2097, 12.08.2024) in the following terms:**

*'167. Each application must be accompanied by a summary of the pleas in law and main arguments relied on, designed to facilitate the drafting of the notice which must be published in the Official Journal of the European Union in accordance with Article 79 of the Rules of Procedure.*

*168. In order to assist the General Court in processing the summary of the pleas in law and main arguments relied on, it is requested that the summary:*

- be produced separately from the body of the application and the annexes mentioned in the application;*
- not exceed two pages;*
- be prepared in the language of the case in accordance with the model available online on the website of the Court of Justice of the European Union;*
- be transmitted via e-Curia when the application is lodged, with an indication of the case to which it refers.'*

**The proposed model does not apply to actions which relate to an intellectual property regime and are brought against the European Union Intellectual Property Office (EUIPO) or to actions brought against the Community Plant Variety Office (CPVO), in respect of which there is no provision for the preparation of a summary of the pleas in law and arguments relied on in the application initiating proceedings.**

It is recommended that the following structure be adopted when preparing the summary of pleas in law and main arguments relied on:

## I. PARTIES

Applicant(s): .....

Seat/Address [town or city and country]:.....

Representative(s) [name and status]: .....

Defendant(s): .....

## II. SUBJECT MATTER (to be completed on the basis of the following) <sup>1</sup>

### Actions for annulment (as referred to in Article 263 TFEU)

Application under Article 263 TFEU for annulment of [*reference to the contested measure*]

### Actions for failure to act (as referred to in Article 265 TFEU)

Application under Article 265 TFEU for a declaration that [*name of the defendant*] unlawfully failed to [*specify the circumstances*]

### Actions to establish non-contractual liability (as referred to in Article 268 TFEU)

Application under Article 268 TFEU for compensation for damage which the applicant has suffered following/as a result of [*short description of the operative event*]

### Actions in civil service matters (as referred to in Article 270 TFEU)

Application under Article 270 TFEU for annulment of [*reference to the contested measure*] <sup>2</sup>

or

Application under Article 270 TFEU for compensation for damage which the applicant has suffered following/as a result of [*short description of the operative event*]

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<sup>1</sup> Where the action has more than one subject matter, the wording appropriate to the relevant circumstances should be used. For example, in the case of an action for (1) annulment of a measure, and (2) compensation for damage, the subject matter should be worded as follows: 'First, application under Article 263 TFEU for annulment of [*reference to the contested measure*] and, second, application under Article 268 TFEU for compensation for damage which the applicant claims to have suffered following/as a result of [*specify the circumstances*]'.

<sup>2</sup> Where the action is brought against the European Central Bank or the European Investment Bank in a civil service matter, the subject matter should be worded as follows: 'Application under Article 270 TFEU, read in conjunction with Article 50a of the Statute of the Court of Justice of the European Union, for annulment of [*reference to the contested measure*]'.

## **Actions based on an arbitration clause (as referred to in Article 272 TFEU)**

Application under Article 272 TFEU for [*name of the defendant*] to be ordered to [...]

### **III. FORM OF ORDER SOUGHT**

The applicant(s) claims/claim that the Court should:

- [*first head of claim*];
- [*second head of claim*];
- [*third head of claim*];
- ...

### **IV. PLEAS IN LAW AND MAIN ARGUMENTS**

In support of the action, the applicant(s) relies/rely on [*number*] plea(s) in law.

#### **1. First plea in law, alleging [*state the plea in law*]**

[*Briefly set out the arguments in support of the plea / parts of the plea, if applicable*]

- ...
- ...
- ...

#### **2. Second plea in law, alleging [*state the plea in law*]**

[*Briefly set out the arguments in support of the plea / parts of the plea, if applicable*]

- ...
- ...
- ...

#### **3. Third plea in law, alleging [*state the plea in law*]**

[*Briefly set out the arguments in support of the plea / parts of the plea, if applicable*]

- ...
- ...
- ...

#### **4. ...**

#### **5. ...**