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# Model application for direct actions other than those relating to intellectual property rights

**September 2024**

**This model application is referred to in point 173 of the Practice Rules for the implementation of the Rules of Procedure of the General Court ('the Practice Rules')**

It is made available to parties by way of guidance. Parties are invited to consult the texts governing proceedings before the General Court, in particular Articles 76 and 78 of the Rules of Procedure of the General Court ('the Rules of Procedure') and points 108 to 120 and 162 to 173 of the Practice Rules.



## APPLICATION

[Name of applicant], [residential address of natural person/seat or registered office of legal person]

**Applicant**

Represented by [...], [status and address of representative]

**v**

[Name of defendant], [address of defendant]

**Defendant**

**UNDER [LEGAL BASIS]**

**FOR:** [by way of example]

- annulment of the decision of [institution/body/office/agency of the European Union] of [date]
- a declaration that [institution/body/office/agency of the European Union] unlawfully failed to [specify the circumstances]
- compensation for damage which the applicant claims to have suffered following/as a result of [specify the circumstances]<sup>1</sup>

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<sup>1</sup> Point 162 of the Practice Rules: 'The mandatory information to be included in the application initiating proceedings is prescribed by Article 76 of the Rules of Procedure'.

## TABLE OF CONTENTS<sup>2</sup>

INTRODUCTION .....	3
FACTS .....	3
LEGAL CONTEXT .....	3
FIRST PLEA IN LAW, ALLEGING [ <i>STATE THE PLEA IN LAW</i> ] .....	3
SECOND PLEA IN LAW, ALLEGING [ <i>STATE THE PLEA IN LAW</i> ] .....	3
THIRD PLEA IN LAW, ALLEGING [ <i>STATE THE PLEA IN LAW</i> ] .....	4
FORM OF ORDER SOUGHT .....	4
SCHEDULE OF ANNEXES .....	5

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<sup>2</sup> Point 110 of the Practice Rules: 'Each procedural document must contain the form of order sought by the party concerned, where this is required by the Rules of Procedure, or the request being made by the party and, where the length of the document exceeds five pages, a brief summary of the schema or a table of contents' (emphasis added).

**INTRODUCTION** <sup>3</sup>

1. ...
2. ...
3. ...

**FACTS** <sup>4</sup>

4. ...
5. ...
6. ...
7. ...

**LEGAL CONTEXT**

8. ...
9. ...

**FIRST PLEA IN LAW, ALLEGING** [*STATE THE PLEA IN LAW*]

10. ...
11. ...
12. ...
13. ...

**SECOND PLEA IN LAW, ALLEGING** [*STATE THE PLEA IN LAW*]

14. ...
15. ...

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<sup>3</sup> Article 76(d) of the Rules of Procedure: 'An application ... shall contain: ... (d) the subject matter of the proceedings, the pleas in law and arguments relied on and a summary of those pleas in law'. See also point 165 of the Practice Rules: 'Legal arguments should be set out and grouped by reference to the particular pleas in law to which they relate. Each argument or group of arguments should generally be preceded by a summary statement of the relevant plea. In addition, it is recommended that the pleas in law relied on each be given a heading to enable them to be identified easily'.

<sup>4</sup> Point 163 of the Practice Rules: 'The introductory part of the application should be followed by a brief account of the facts giving rise to the dispute'.

16. ...

17. ...

18. ...

19. ...

20. ...

21. ...

**THIRD PLEA IN LAW, ALLEGING [*STATE THE PLEA IN LAW*]**

22. ...

23. ...

24. ...

**FORM OF ORDER SOUGHT <sup>5</sup>**

**ON THOSE GROUNDS, THE APPLICANT CLAIMS THAT THE COURT SHOULD:**

- ...
- ...
- [order sought as to costs]

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<sup>5</sup> Article 76(e) of the Rules of Procedure: 'An application ... shall contain: ... (e) the form of order sought by the applicant'. See also point 164 of the Practice Rules: 'The precise wording of the form of order sought by the applicant must be stated either at the beginning or at the end of the application'. If the form of order sought is set out both at the beginning and at the end of the application, the author must ensure that both instances are identical.

**SCHEDULE OF ANNEXES <sup>6</sup>**

*[example of schedule]*

<b>ANNEX No</b>	<b>DESCRIPTION OF ANNEX</b>	<b>FIRST AND LAST PAGE OF ANNEX</b>	<b>MENTIONED FOR THE FIRST TIME IN §</b>
A.1	[short description of annex (for example: 'letter'), stating the date, author and addressee]	[1-25]	[§ 4]
A.2	[short description of annex, stating the date, author and addressee]	[26-32]	[§ 12]
A.3	[short description of annex, stating the date, author and addressee]	[33-46]	[§ 18]
A.4			

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<sup>6</sup> Article 78 of the Rules of Procedure. See also points 114 to 120 of the Practice Rules. It is not necessary to refer, in the schedule of annexes, to the formal documents referred to in Article 51(2) and (3) and Article 78(4) of the Rules of Procedure, if they are produced separately. However, if those formal documents are produced as annexes to the application, they must appear in the schedule of annexes.





# **ANNEX A.1**

*[example of a cover page to be inserted at the beginning of the annex concerned]*

**TABLE SETTING OUT THE LIST OF APPLICANTS <sup>7</sup>**

*[EXAMPLE OF A TABLE SETTING OUT THE LIST OF APPLICANTS]*

<b>No</b>	<b>SURNAME (NATURAL PERSON) NAME (LEGAL PERSON)</b>	<b>FIRST NAME (NATURAL PERSON)</b>	<b>TOWN OR CITY OF RESIDENCE (NATURAL PERSON)/TOWN OR CITY OF SEAT OR REGISTERED OFFICE (LEGAL PERSON)</b>	<b>COUNTRY</b>
1	[Surname]	[First name]	[Town or city of residence]	
2	[Name]		[Town or city of seat or registered office]	
3				
4				

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<sup>7</sup> Point 169 of the Practice Rules: 'Any application lodged by more than 10 applicants must be accompanied by a table setting out the list of those parties'. See also point 170 of the Practice Rules.