

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Nadine Trautwein Rolf Trautwein GbR, Research and Development to pay the costs.

(¹) OJ C 44, 21.2.2009.

**Judgment of the General Court of 8 September 2010 —
4care v OHIM — Laboratorios Diafarm (Acumed)**

(Case T-575/08) (¹)

(Community trade mark — Opposition proceedings — Application for Community figurative mark Acumed — Earlier national word mark AQUAMED ACTIVE — Relative ground for refusal — Likelihood of confusion — Similarity of the signs — Similarity of the goods — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009))

(2010/C 288/70)

Language of the case: German

Parties

Applicant: 4care AG (Kiel, Germany) (represented by: S. Redeker and M. Diesbach, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Schneider, Agent)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Laboratorios Diafarm, SA (Barberà del Vallès, Spain) (represented by: E. Sugrañes Coca, lawyer)

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 7 October 2008 (Case R 1636/2007-2), relating to opposition proceedings between Laboratorios Diafarm, SA and 4care AG.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders 4care AG to pay the costs.

(¹) OJ C 55, 7.3.2009.

**Judgment of the General Court of 9 September 2010 —
Carpent Languages v Commission**

(Case T-582/08) (¹)

(Public service contracts — Community tendering procedure — Organisation of meetings and conferences — Rejection of a tenderer's bid — Award of the contract to another tenderer — Obligation to state the reasons on which a decision is based — Manifest error of assessment — Equal treatment)

(2010/C 288/71)

Language of the case: French

Parties

Applicant: Carpent Languages (Brussels, Belgium) (represented by: P. Goergen, lawyer)

Defendant: European Commission (represented by: B. Simon and E. Manhaeve, Agents, and by F. Tulkens and V. Ost, lawyers)

Re:

Action brought against the Commission's decision of 30 October 2008 rejecting the applicant's bid for lot No 4 'Provision of teams of interpreters according to the linguistic requirements of each event' of contract notice VT/2008/036 (Multiple framework contracts for meeting and conference organisation services), and the Commission's decision of 17 November 2008 appointing the successful tenderer of lot No 4, and an application for a declaration that the Commission be ordered to pay damages in the event that the General Court does not grant the application for annulment of the decision rejecting the applicant's bid.

Operative part of the judgment

The Court:

1. Dismisses the action;