

3. *Orders Ms Grebenshikova to bear her own costs and to pay half of those incurred by Volvo Trademark Holding.*

(<sup>1</sup>) OJ C 37, 9.2.2008.

**Judgment of the General Court of 10 December 2009 —  
Antwerpse Bouwwerken v European Commission**

(Case T-195/08) (<sup>1</sup>)

*(Public procurement — Community tendering procedure — Construction of a reference materials production hall — Rejection of a tender — Action for annulment — Interest in bringing proceedings — Admissibility — Interpretation of a condition laid down in the contract documents — Compliance of a tender with the conditions laid down in the contract documents — Exercise of the power to request clarification of tenders — Action for damages)*

(2010/C 24/83)

*Language of the case: Dutch*

**Parties**

*Applicant:* Antwerpse Bouwwerken NV (Antwerp, Belgium) (represented initially by: J. Verbist and D. de Keuster, and subsequently by: J. Verbist, B. van de Walle de Ghelcke and A. Vandervennet, lawyers)

*Defendant:* European Commission (represented by: E. Manhaeve, acting as Agent, and by M. Gelders, lawyer)

**Re:**

Application for, firstly, annulment of the decision of the Commission rejecting the tender submitted by the applicant in a restricted public procurement procedure concerning the construction of a reference materials production hall in the grounds of the Institut des matériaux et mesures de référence (Institute for Reference Materials and Measurements) in Geel (Belgium) and awarding the contract to another tenderer and, secondly, compensation for the damage purportedly suffered by the applicant by reason of that decision of the Commission

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*

2. *Orders Antwerpse Bouwwerken NV to pay the costs, including those relating to the proceedings for interim relief in Case T 195/08 R.*

(<sup>1</sup>) OJ C 183, 19.7.2008.

**Judgment of the Court of First Instance of 3 December 2009 — Iranian Tobacco v OHIM — AD Bulgartabac (Bahman)**

(Case T-223/08) (<sup>1</sup>)

*(Community trade mark — Revocation proceedings — Figurative Community trade mark Bahman — Interest in bringing proceedings not required — Article 55(1)(a) of Regulation (EC) No 40/94 (now Article 56(1)(a) of Regulation (EC) No 207/2009))*

(2010/C 24/84)

*Language of the case: German*

**Parties**

*Applicant:* Iranian Tobacco Co. (Tehran, Iran) (represented by: M. Beckensträter, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Poch, acting as Agent)

*Other party to the proceedings before the Board of Appeal of OHIM intervening before the Court of First Instance:* AD Bulgartabac Holding Sofia (Sofia, Bulgaria) (represented by: M. Maček, lawyer)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 10 April 2008 in Case R 709/2007-1 concerning revocation proceedings between AD Bulgartabac Holding Sofia and Iranian Tobacco Co.

**Operative part of the judgment**

*The Court:*

1. *Dismisses the action;*

2. *orders Iranian Tobacco to pay the costs.*

(<sup>1</sup>) OJ C 223 of 30.8.2008