

## GENERAL COURT

**Judgment of the General Court of 19 March 2010 —  
Evropaiki Dynamiki v Commission**(Case T-50/05) <sup>(1)</sup>

*(Public service contracts — Community tendering procedure — Provision of computer services relating to telematic systems to control the movement of products subject to excise duty — Rejection of a tenderer's bid — Action for annulment — Consortium of tenderers — Admissibility — Principles of equal treatment of tenderers and transparency — Award criteria — Principles of sound administration and diligence — Obligation to state the reasons on which the decision is based — Manifest error of assessment)*

(2010/C 134/47)

Language of the case: English

**Parties**

*Applicant:* Evropaiki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: N. Korogiannakis, lawyer)

*Defendant:* European Commission (represented: initially by L. Parpala and K. Kańska, subsequently by L. Parpala and E. Manhaeve and lastly by L. Parpala, E. Manhaeve and M. Wilderspin, Agents)

**Re:**

Action for the annulment of the Decision of the Commission of the European Communities of 18 November 2004 rejecting the tender submitted by the consortium formed by the applicant and another undertaking in a tendering procedure relating to the provision of computer services concerning the specification, development, maintenance and support of telematic systems to control the movement of products subject to excise duty within the European Community under the excise-duty suspension arrangements and awarding the contract to another tenderer.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Evropaiki Dynamiki — Proigmena Systemata Tilepikoinonion Pliroforikis kai Tilematikis AE to bear its own costs and to pay those incurred by the European Commission.

<sup>(1)</sup> OJ C 106, 30.4.2005.

**Judgment of the General Court (Third Chamber) of 19  
March 2010 — Gollnisch v Parliament**(Case T-42/06) <sup>(1)</sup>

*(Privileges and immunities — Member of the European Parliament — Decision not to defend his privileges and immunities — Action for annulment — No longer any interest in bringing proceedings — No need to adjudicate — Action for damages — Conduct alleged against the Parliament — Sufficiently serious breach of a rule of law conferring rights on individuals — Causal link)*

(2010/C 134/48)

Language of the case: French

**Parties**

*Applicant:* Bruno Gollnisch (Limonest, France) (represented by: W. de Saint Just and G. Dubois, lawyers)

*Defendant:* European Parliament (represented by: H. Krück, C. Karamarcos and A. Padowska and subsequently by H. Krück, D. Moore and A. Padowska, Agents)

**Re:**

Application for, first, annulment of the decision of the European Parliament of 13 December 2005 not to defend the immunity and privileges of Mr Bruno Gollnisch and, second, compensation for the damage suffered by Mr Gollnisch as a result of that decision

**Operative part of the judgment**

The Court:

1. Rules that there is no need to adjudicate on the claim for annulment;
2. Dismisses the claim for damages;
3. Orders the European Parliament to bear its own costs and to pay two thirds of the costs incurred by Mr Bruno Gollnisch, including those relating to the application for interim measures;