

Defendant: European Joint Undertaking for ITER and the Development of Fusion Energy (represented: initially by H. Jahreiss, R. Hanak, A. Verpont, I. Costin and A. Nagy, and subsequently by R. Hanak, A. Verpont, I. Costin and A. Nagy, acting as Agents, and by P. Wytinck and B. Hoorelbeke, lawyers)

Re:

Application for (i) annulment of the decision of the European Joint Undertaking for ITER and the Development of Fusion Energy of 7 August 2013 taken in the context of the tendering procedure F4E-ADM-0464 concerning IT services, consulting, software development, Internet and support services (OJ 2012/S 213-352451) rejecting the tender submitted by European Dynamics Luxembourg SA and awarding the contracts to other tenderers, and (ii) an award of damages.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders European Dynamics Luxembourg SA and Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE to pay the costs.*

⁽¹⁾ OJ C 367, 14.12.2013.

Judgment of the General Court of 26 November 2015 — Demp v OHIM (TURBO DRILL)

(Case T-50/14) ⁽¹⁾

(Community trade mark — Application for Community word mark TURBO DRILL — Absolute grounds for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 207/2009)

(2016/C 027/50)

Language of the case: German

Parties

Applicant: Demp BV (Vianen, Netherlands) (represented by: C. Gehweiler, lawyer)

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

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 22 November 2013 (Case R 1254/2013-4), concerning an application for registration of the word sign TURBO DRILL as a Community trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Demp BV to pay the costs.*

⁽¹⁾ OJ C 78, 15.3.2014.