

2) *Orders Ireland to pay the costs.*

(¹) OJ C 155, 7.7.2007.

**Judgment of the Court (Sixth Chamber) of 26 February 2008
— Commission of the European Communities v Grand
Duchy of Luxembourg**

(Case C-273/07) (¹)

*(Failure of a Member State to fulfil its obligations — Direc-
tive 2005/51/EC — Public procurement — Procedures for the
award of contracts)*

(2008/C 92/14)

Language of the case: French

Parties

Applicant: Commission of the European Communities (repre-
sented by: B. Stromsky and D. Kukovec, acting as Agent)

Defendant: Grand Duchy of Luxembourg (represented by:
C. Schiltz, Agent)

Re:

Failure of a Member State to fulfil its obligations — Failure to
adopt, within the period prescribed, the provisions necessary to
comply with Commission Directive 2005/51/EC of 7 September
2005, amending Annex XX to Directive 2004/17/EC and
Annex VIII to Directive 2004/18/EC of the European Parliament
and the Council on public procurement (OJ 2005 L 257,
p. 127)

Operative part of the judgment

The Court

1. Declares that, by failing to adopt the laws, regulations and admin-
istrative provisions necessary to comply with Commission Directive
2005/51/EC of 7 September 2005, amending Annex XX to
Directive 2004/17/EC and Annex VIII to Directive 2004/18/EC
of the European Parliament and the Council on public procurement,
the Grand Duchy of Luxembourg failed to fulfil its obligations
under that directive;

2. *Orders the Grand Duchy of Luxembourg to pay the costs.*

(¹) OJ C 211, 8.9.2007.

**Judgment of the Court (Fifth Chamber) of 21 February
2008 — Commission of the European Communities v
Grand Duchy of Luxembourg**

(Case C-328/07) (¹)

*(Failure of a Member State to fulfil obligations — Directive
2004/48/EC — Enforcement of intellectual property rights —
Failure to transpose within the prescribed period)*

(2008/C 92/15)

Language of the case: French

Parties

Applicant: Commission of the European Communities (repre-
sented by: W. Wils, acting as Agent)

Defendant: Grand Duchy of Luxembourg (represented by:
C. Schiltz, acting as Agent)

Re:

Failure of a Member State to fulfil obligations — Failure to
adopt the provisions necessary to comply with Directive
2004/48/EC of the European Parliament and of the Council of
29 April 2004 on the enforcement of intellectual property
rights (OJ 2004 L 157, p. 45, and Corrigendum OJ 2004 L 195,
p. 16)

Operative part of the judgment

The Court:

1) Declares that, by failing to adopt, within the prescribed period, the
laws, regulations and administrative provisions necessary to comply
with Directive 2004/48/EC of the European Parliament and of
the Council of 29 April 2004 on the enforcement of intellectual
property rights, the Grand Duchy of Luxembourg has failed to
fulfil its obligations under that directive;

2) *Orders the Grand Duchy of Luxembourg to pay the costs.*

(¹) OJ C 211, 8.9.2007.