

2. *Orders Strategi Group Ltd to pay the costs.*

(<sup>1</sup>) OJ C 113, 16.5.2009.

**Judgment of the General Court of 7 October 2010 —  
Commission v Gal-Or**

(Case T-136/09) (<sup>1</sup>)

*(Arbitration clause — Contract for financial assistance concluded under a specific research and technological development programme in the field of non-nuclear energy — Failure to comply with the contract — Reimbursement of advance payments — Default interest — Default procedure)*

(2010/C 317/54)

Language of the case: English

**Parties**

*Applicant:* European Commission (represented by: A.-M. Rouchaud-Joët and F. Mirza, Agents, by B. Katan and M. van der Woude, lawyers, and subsequently by B. Katan)

*Defendant:* Benjamin Gal-Or (Jupiter, Florida, United States)

**Re:**

Action on the basis of an arbitration clause, seeking an order that Mr Gal-Or reimburse the amount of EUR 205 611 advanced to him by the Commission in the context of contract IN/0042/97, together with default interest, and for payment of default interest on the amount of EUR 9 231,25, which is the amount of the costs incurred in an action brought by Mr Gal-Or against the Commission before the courts in the Netherlands.

**Operative part of the judgment**

The Court:

1. *Orders Mr Benjamin Gal-Or to pay to the European Commission the principal amount owing of EUR 205 611, together with interest at the rate of:*

- 2,75 % from 2 March 2003;
- 2,50 % from 7 March 2003;
- 2,00 % from 6 June 2003;
- 2,25 % from 6 December 2005;
- 2,50 % from 8 March 2006;
- 2,75 % from 15 June 2006;
- 3,00 % from 9 August 2006;

— 3,25 % from 11 October 2006;

— 3,50 % from 13 December 2006;

— 3,75 % from 14 March 2007;

— 4,00 % from 13 June 2007;

— 4,25 % from 9 July 2008;

— 3,75 % from 15 October 2008;

— 3,25 % from 12 November 2008;

— 2,50 % from 10 December 2008;

— 2,00 % from 21 January 2009;

— 1,50 % from 11 March 2009;

— 1,25 % from 8 April 2009;

— 1,00 % from 13 May 2009;

2. *Dismisses the action as to the remainder;*

3. *Orders Mr Gal-Or to pay the costs.*

(<sup>1</sup>) OJ C 141, 20.6.2009.

**Judgment of the General Court of 7 October 2010 —  
Accenture Global Services v OHIM — Silver Creek  
Properties (ascensa)**

(Case T-244/09) (<sup>1</sup>)

*(Community trade mark — Opposition proceedings — Application for Community figurative mark ascensa — Earlier Community and national word and figurative marks ACCENTURE and accenture — Relative ground for refusal — No likelihood of confusion — No similarity of signs — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009) — Obligation to state reasons — Article 73 of Regulation No 40/94 (now Article 75 of Regulation No 207/2009))*

(2010/C 317/55)

Language of the case: English

**Parties**

*Applicant:* Accenture Global Services GmbH (Schaffhausen, Switzerland) (represented by: R. Niebel, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: Ó. Mondéjar Ortuño, Agent)