

GENERAL COURT

Judgment of the General Court of 2 October 2014 — Evropaiki Dynamiki v Commission

(Case T-340/07 RENV) ⁽¹⁾

(Arbitration clause — Contract relating to Community financial support for a project in the framework of the ‘eContent’ programme — Termination of the contract by the Commission — Reimbursement of eligible costs)

(2014/C 395/35)

Language of the case: English

Parties

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

Defendant: European Commission (represented initially by: E. Manhaeve and M. Wilderspin, then by M. Wilderspin, S. Delaude and L. Cappeletti and lastly by S. Delaude and L. Cappeletti, acting as Agents, and by D. Philippe and M. Gouden, lawyers)

Re:

Action on the basis of an arbitration clause, seeking an order that the Commission pay (i) the sums allegedly due to the applicant and (ii) damages, following termination of a contract relating to Community financial support for the project ‘eContent Exposure and Business Opportunities’ (Contract No EDC-53007 EEBO/27873), concluded in the framework of the multiannual Community programme to stimulate the development and use of European digital content on the global networks and to promote linguistic diversity in the information society.

Operative part of the judgment

The Court:

1. *Orders the European Commission to pay Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE the sum of EUR 8 843,10;*
2. *Dismisses the action as to the remainder;*
3. *Orders the European Commission to pay 5 % of its own costs and 5 % of the costs of Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis, and the latter to pay 95 % of its own costs and 95 % of the Commission’s costs.*

⁽¹⁾ OJ C 269, 10.11.2007.

Judgment of the General Court of 26 September 2014 — Evropaiki Dynamiki v Commission

(Case T-498/11) ⁽¹⁾

(Public service contracts — Tender procedure — Renovation of a website — Rejection of a tenderer’s tender — Award of contract to another tenderer — Action for annulment — Obligation to state reasons — Award criteria — Manifest errors of assessment — Claim for damages)

(2014/C 395/36)

Language of the case: English

Parties

Applicant: Evropaiki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE (Athens, Greece) (represented by: N. Korogiannakis, M. Dermizakis and N. Theologou, lawyers)

Defendant: European Commission (represented by: S. Delaude and F. Moro, Agents, assisted by P. Wytinck and T. Ruys, lawyers)

Re:

Application (i) for annulment of the decision of the Publications Office of the European Union rejecting the tender submitted by the applicant concerning a supply of services relating to the revamping of the website of the European Anti-Fraud Office (OLAF) and of the decision to award the contract to another tenderer, and (ii) for damages.

Operative part of the judgment

The Court:

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

⁽¹⁾ OJ C 347, 26.11.2011.

Judgment of the General Court of 26 September 2014 — Dansk Automat Branche forening v Commission

(Case T-601/11) ⁽¹⁾

(Actions for annulment — State aid — Online gaming — Introduction in Denmark of lower taxes for online gaming than for casinos and amusement arcades — Decision declaring aid compatible with the internal market — Aid to facilitate the development of certain activities — Lack of individual concern — Regulatory act entailing implementing measures — Inadmissibility)

(2014/C 395/37)

Language of the case: Danish

Parties

Applicant: Dansk Automat Branche forening (Fredericia, Denmark) (represented by: K. Dyekjær, T. Høg and J. Flodgaard, lawyers)

Defendant: European Commission (represented by: M. Afonso and C. Barslev, and subsequently by M. Afonso and L. Grønfeldt, acting as Agents)

Interveners in support of the defendant: Kingdom of Denmark (represented initially by C. Vang, and subsequently by M. Wolff and C. Thorning, acting as Agents, assisted by K. Lundgaard Hansen, lawyer); Republic of Malta (represented by: P. Grech and A. Buhagiar, acting as Agents); Betfair Group plc (London, United Kingdom) and Betfair International Ltd (Santa Venera, Malta) (represented by: O. Brouwer and A. Pliego Selie, lawyers); European Gaming and Betting Association (EGBA) (Brussels, Belgium) (represented by: C.-D. Ehlermann, J.C. Heithecker and J. Ylinen, lawyers)

Re:

Application for annulment of Commission Decision 2012/140/EU of 20 September 2011 in Case No C 35/2010 (ex N 302/2010) on measures which Denmark is planning to implement in the form of duties for online gaming in the Danish [Law on gaming duties] (OJ 2012, L 68, p. 3).

Operative part of the judgment

The Court:

1. *Dismisses the action;*