

2. Orders Grupo Flexi de León, SA de CV to pay the costs.

⁽¹⁾ OJ C 331, 27.10.2012.

Judgment of the General Court of 11 June 2014 — Klingel v OHIM — Develey (JUNGBORN)
(Case T-401/12) ⁽¹⁾

(Community trade mark — Opposition proceedings — International registration designating the European Community — Word mark JUNGBORN — Earlier national word mark BORN — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2014/C 245/14)

Language of the case: German

Parties

Applicant: Robert Klingel OHG (Pforzheim, Germany) (represented by: T. Zeiher, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: D. Walicka, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM, intervener before the General Court: Develey Holding GmbH & Co. Beteiligungs KG (Unterhaching, Germany) (represented by: R. Kunz-Hallstein and H. Kunz-Hallstein, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 9 July 2012 (Case R 936/2011-4) relating to opposition proceedings between Develey Holding GmbH & Co. Beteiligungs KG and Robert Klingel OHG.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Robert Klingel OHG to pay the costs.

⁽¹⁾ OJ C 331, 27.10.2012.

Judgment of the General Court of 11 June 2014 — Golam v OHIM — Pentafarma (METABOL)
(Case T-486/12) ⁽¹⁾

(Community trade mark — Opposition proceedings — Application for the Community word mark METABOL — Earlier national word mark METABOL-MG — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 207/2009)

(2014/C 245/15)

Language of the case: English

Parties

Applicant: Sofia Golam (Athens, Greece) (represented by: N. Trovas, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. Geroulakos, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM: Pentafarma-Sociedade Tecnico-Medicinal, SA (Prior Velho, Portugal)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 19 July 2012 (Case R 1901/2011-1), relating to opposition proceedings between Pentafarma-Sociedade Tecnico-Medicinal, SA and Ms Sofia Golam

Operative part of the judgment

The Court:

1. *Dismisses the action.*
2. *Orders Ms Sofia Golam to pay the costs.*

⁽¹⁾ OJ C 9, 12.1.2013.

**Judgment of the General Court of 11 June 2014 — *Communicaid Group Ltd v European Commission*
(Case T-4/13) ⁽¹⁾**

(Public service contracts — Tendering procedure — Provision of language-training services for staff of the institutions, bodies and agencies of the European Union in Brussels — Rejection of tenders submitted by the applicant — Principle of transparency — Non-discrimination — Equal treatment — Article 94 of the Financial Regulation — Selection criteria — Obligation to state reasons — Award criteria — Manifest error of assessment)

(2014/C 245/16)

Language of the case: English

Parties

Applicants: Communicaid Group Ltd (London, United Kingdom) (represented by: C. Brennan, Solicitor, F. Randolph QC, and M. Gray, Barrister)

Defendant: European Commission (represented by: S. Delaude and S. Lejeune Agents, assisted by P. Wytinck and B. Hoorelbeke, lawyers)

Re:

Application for the annulment, in whole or in part, of the decisions by which the Commission refused to rank Communicaid Group Ltd in first place for Lots 1, 2, 4, 7, 8 and 9 of the Call for Tenders HR/R3/PR/2012/002 relating to framework agreements for the provision of language training for staff of the institutions, bodies and agencies of the European Union in Brussels (Belgium)

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders Communicaid Group Ltd to pay the costs, including those incurred in the proceedings for interim measures.*

⁽¹⁾ OJ C 71, 9.3.2013.