

3. Orders that each of the heads of damages referred to in points 1 and 2 above be increased by default interest, to be calculated as from the delivery of the present judgment until payment in full, at the rate set by the European Central Bank (ECB) for its main refinancing operations, increased by three and a half percentage points;
4. Dismisses the action as to the remainder;
5. Order the European Union, represented by the Court of Justice of the European Union, to pay, in addition to its own costs, the costs incurred by Kendrion in connection with the plea of inadmissibility which gave rise to the order of 6 January 2015, *Kendrion v European Union* (T-479/14, not published, EU:T:2015:2);
6. Orders Kendrion, on the one hand, and the European Union, represented by the Court of Justice of the European Union, on the other, to bear their own respective costs relating to the action which has given rise to the present judgment;
7. Orders the European Commission to bear its own costs.

⁽¹⁾ OJ C 253, 4.8.2014.

Judgment of the General Court of 26 January 2017 — TV1 v Commission

(Case T-700/14) ⁽¹⁾

(Public service contracts — Tendering procedure — Supply of integrated audiovisual production, dissemination and archiving services — Rejection of the tender of one tenderer — Contract awarded to another tenderer — Offer abnormally low — Obligation to request further clarification — Obligation to state reasons — Transparency — Equal treatment and non-discrimination — Manifest error of assessment)

(2017/C 078/25)

Language of the case: German

Parties

Applicant: TV1 GmbH (Unterföhring, Germany) (represented by: C. Scherer-Leydecker, J. Mey and A. Rausch, lawyers)

Defendant: European Commission (represented by: F. Moro and M. Noll-Ehlers initially, then F. Moro and T. Maxian Rusche and, lastly, T. Maxian Rusche and A. Katsimerou, Agents)

Re:

Application based on Article 263 TFEU and seeking annulment of the Commission's decision rejecting the tender submitted by the applicant for Lot No. 4, entitled 'streaming, compression, hosting and content delivery' in the call for tenders bearing reference PO/2014 — 03/A4 and concerning '[i]ntegrated audiovisual production, dissemination and archiving services', of the decision by which the Commission awarded that lot to the successful tenderer and of the contract for the supply of services concluded between the Commission and the successful tenderer.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders TV1 GmbH to pay the costs.

⁽¹⁾ OJ C 409, 17.11.2014.