

*Defendant:* European Union Intellectual Property Office (represented by: D. Hanf, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Peek & Cloppenburg KG (Hamburg, Germany) (represented by: A. Renck, M. Petersenn and C. Stöber, lawyers)

**Re:**

Action brought against the decision of the First Board of Appeal of EUIPO of 31 May 2018 (Case R 115/2005-1), relating to opposition proceedings between Peek & Cloppenburg (Hamburg) and Peek & Cloppenburg (Düsseldorf).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Peek & Cloppenburg KG (Düsseldorf) to pay the costs.

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(<sup>1</sup>) OJ C 392, 29.10.2018.

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**Judgment of the General Court of 13 May 2020 — Peek & Cloppenburg v EUIPO — Peek & Cloppenburg (Peek's)**

(Case T-535/18) (<sup>1</sup>)

*(EU trade mark — Opposition proceedings — Application for the EU word mark Peek's — Earlier national commercial designation Peek & Cloppenburg — Relative ground for refusal — Likelihood of confusion — Article 8(4) of Regulation (EU) 2017/1001 — Coexistence of the national commercial designation and the mark applied for — Demarcation agreement — Application of national law by EUIPO — Suspension of the administrative proceedings — Article 70 of Regulation 2017/1001 — Rule 20(7)(c) of Regulation (EC) No 2868/95 (now Article 71(1) of Delegated Regulation (EU) 2018/625) — Manifest error of assessment)*

(2020/C 215/40)

Language of the case: German

**Parties**

*Applicant:* Peek & Cloppenburg KG (Düsseldorf, Germany) (represented by: P. Lange, lawyer)

*Defendant:* European Union Intellectual Property Office (represented by: D. Hanf, acting as Agent)

*Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court:* Peek & Cloppenburg KG (Hamburg, Germany) (represented by: A. Renck, M. Petersenn and C. Stöber, lawyers)

**Re:**

Action brought against the decision of the First Board of Appeal of EUIPO of 31 May 2018 (Case R 60/2007-1), relating to opposition proceedings between Peek & Cloppenburg (Hamburg) and Peek & Cloppenburg (Düsseldorf).

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders Peek & Cloppenburg KG (Düsseldorf) to pay the costs.

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<sup>(1)</sup> OJ C 392, 29.10.2018.

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**Judgment of the General Court of 29 April 2020 — Intercontact Budapest v CdT**

(Case T-640/18) <sup>(1)</sup>

*(Public service contracts — Tendering procedure — Provision of translation services of texts in the financial and banking fields from English into Hungarian — Ranking of a tenderer — Article 113(2) and (3) of Regulation (EU, Euratom) No 966/2012 — Obligation to state reasons — Tender price of the highest ranked tenderers — Refusal of disclosure)*

(2020/C 215/41)

Language of the case: Hungarian

**Parties**

*Applicant:* Intercontact Budapest Fordító és Pénzügyi Tanácsadó Kft. (Intercontact Budapest Kft.) (Budapest, Hungary) (represented by: É. Subasicz, lawyer)

*Defendant:* Translation Centre for the Bodies of the European Union (CdT) (represented by: M. Garnier, acting as Agent)

**Re:**

Application based on Article 263 TFEU seeking, in essence, the annulment of the decision of the CdT of 29 August 2018 ranking the applicant's bid in fifth position in the ranking of successful tenderers according to the cascade mechanism concerning Lot No 12 of contract notice FL/FIN 17.

**Operative part of the judgment**

The Court:

1. Annuls the decision of the Translation Centre for the Bodies of the European Union (CdT) of 29 August 2018 classifying the tender of Intercontact Budapest Fordító és Pénzügyi Tanácsadó Kft. (Intercontact Budapest Kft.) in fifth place in the ranking of successful tenderers according to the cascade mechanism concerning Lot No 12 of contract notice FL/FIN 17.
2. Dismisses the remaining heads of claim in the application.
3. Orders the CdT to pay the costs.

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<sup>(1)</sup> OJ C 4, 7.1.2019.