

Form of order sought

The applicant claims that the Court should:

- annul the contested decision;
- order EUIPO to pay the costs of the proceedings, including the costs incurred by the applicant in the proceedings before the Board of Appeal.

Pleas in law

- Infringement of Article 7(1)(c) of Regulation (EU) 2017/1001 of the European Parliament and of the Council;
- Infringement of Article 7(1)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council.

Action brought on 15 July 2020 — Tempora v Parliament**(Case T-450/20)**

(2020/C 279/80)

*Language of the case: French***Parties**

Applicant: Tempora (Forest, Belgium) (represented by: A. Delvaux and R. Simar, lawyers)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- declare that the action for annulment is admissible;
- annul the decision, date unknown, by which the European Parliament decided to award the contract to SPRL IMAGINA EU;
- order the European Parliament to pay the costs.

Pleas in law and main arguments

In support of the action against the decision to award the contract to another tenderer in the context of call for tenders COMM/AWD/2019/421, the applicant relies on two pleas in law.

1. First plea in law, alleging breach of Article 15.2 of the tender specifications, breach of the duty of care and thoroughness, infringement of the principles of equality, competition and transparency, and breach of Article 170(1) of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ 2018 L 193, p. 1) ('Regulation 2018/1046'). In that regard, the applicant submits that the Parliament should have awarded it the contract, since SPRL IMAGINA EU did not have sufficient economic and financial resources and could not therefore be selected.
 2. Second plea in law, alleging breach of point 23 of Annex I to Regulation 2018/1046 and of Article 16 of the tender specifications, infringement of the principles of equality, competition and transparency, and breach of the duty of care and thoroughness. The applicant submits that the prices submitted by SPRL IMAGINA EU in its offer are abnormally low and could not be accepted.
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