linguistic requirements of each event' of contract notice VT/2008/036 (Multiple framework contracts for meeting and conference organisation services), and the Commission's decision of 17 November 2008 appointing the successful tenderer of lot No 4, and an application for a declaration that the Commission be ordered to pay damages in the event that the General Court does not grant the application for annulment of the decision rejecting the applicant's bid.

Operative part

1. Dismisses the action;

2. Orders Carpent Languages SPRL to pay the costs.

Judgment of the General Court (Seventh Chamber) of 9 September 2010 — adp Gauselmann v OHIM — Maclean (Archer Maclean's Mercury)

(Case T-106/09)

(Community trade mark — Opposition proceedings — Application for the Community figurative mark Archer Maclean's Mercury — Earlier national word mark Merkur — Relative ground for refusal — No likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009)

Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services — Likelihood of confusion with the earlier mark (Council Regulation No 40/94, Art. 8(1)(b)) (see paras 20, 39-40)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 12 January 2009 (Case R 1266/2007-1), relating to opposition proceedings between adp Gauselmann GmbH and Archer Maclean.

Information relating to the case

Applicant for the Community trade mark:	Archer Maclean
Community trade mark sought:	Figurative mark Archer Maclean's Mercury, for goods in Classes 9, 16 and 28 — Application No 4290227
Proprietor of the mark or sign cited in the opposition proceedings:	adp Gauselmann GmbH
Mark or sign cited in opposition:	German trade mark registration of the word mark Merkur for goods and services in Classes 6, 9, 28, 35, 37, 41 and 42
Decision of the Opposition Division:	Opposition dismissed
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;

2. Orders adp Gauselmann GmbH to pay the costs.