2. Declares that there is no need to adjudicate on the applications for leave to intervene made by the European Parliament and the Council of the European Union;

3. Orders Arch Chemicals, Inc., Arch Timber Protection Ltd, Rhodia UK Ltd, Sumitomo Chemical (UK) plc and Troy Chemical Co. BV to bear their own costs;

4. Orders the European Chemical Industry Council (CEFIC) to bear its own costs.

Judgment of the General Court (Second Chamber) of 20 September 2011 — Dornbracht v OHIM — Metaform Lucchese (META)

(Case T-1/09)

(Community trade mark — Opposition procedure — Application for the Community word mark META — Earlier Community figurative mark METAFORM — Relative grounds for refusal — Similarity of the goods and the signs — Refusal of registration — Article 8(1)(b) of Regulation (EC) No 40/94 (now Article 8(1)(b) of Regulation (EC) No 207/2009) — Likelihood of confusion)

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 26, 49, 54, 59, 63-64)

Re:

ACTION brought against the decision of the Fourth Board of Appeal of OHIM of 3 November 2008 (Case R 1152/2006-4) concerning opposition proceedings between Metaform Lucchese SpA and Aloys F. Dornbracht GmbH & Co KG.

Operative part

The Court:

1. Dismisses the action;

2. Orders Dornbracht GmbH & Co. KG to pay the costs.

Judgment of the General Court (Second Chamber) of 20 September 2011 — Evropaïki Dynamiki v Commission

(Case T-298/09)

(Public service contracts — Community tendering procedure — Supply of external services for educational programmes — Award of the contract to several tenderers — Tenderer's ranking — Action for annulment — Duty to state reasons — Grounds for exclusion from the contract award procedure — Article 93(1)(f) of the Financial Regulation — Tender validity period — Non-contractual liability)

1. *Acts of the institutions — Statement of reasons — Obligation — Scope — Decision to give no further consideration to a tenderer in the award procedure for a public service contract — Assessment having regard to information at the applicant's disposal at the time the action was brought — No infringement of the duty to state reasons (Art. 296 TFEU; Council Regulation No 1605/2002, Art. 100(2); Commission Regulation No 2342/2002, Art. 149(2) and (3)) (see paras 27-31, 54)*