Operative part

1. The application for interim measures is dismissed.

2. Costs are reserved.

Judgment of the General Court (Fourth Chamber) of 9 February 2010 — Evropaïki Dynamiki v Commission

(Case T-340/07)

(Arbitration clause — 'eContent' programme — Contract relating to a project designed to ensure maximum effectiveness of the programme and the widest possible participation of target groups — Non-performance of the contract — Termination of the contract)

1. *Procedure — Referral to the General Court under an arbitration clause — Jurisdiction of the Court defined exclusively by Article 238 EC and the arbitration clause (Art. 238 EC) (see paras 76-77)*

2. *Procedure — Application initiating proceedings — Formal requirements — Brief summary of the pleas in law on which the application is based — Pleas in law not set out in the application (Rules of Procedure of the General Court, Art. 44(1)(c)) (see paras 120-123)*

3. *Non-contractual liability — Conditions — Unlawfulness — Violation of the principles of good administration and transparency — Raised in the context of purely contractual relations — Inadmissible save where contractual terms or the law applicable to the contract infringed (see para. 124)*

4. *Officials — Rights and obligations — Duty of independence and integrity — Risk of conflict of interests where there are professional relations between an official having to rule on a case and a third party involved in it — None (Staff Regulations, Art. 11 a) (see paras 130-134)*

Re:

ACTION brought under Articles 235 EC, 238 EC and 288 EC for an order that the Commission make good damage suffered as a result of its failure to comply with contractual obligations in the context of the performance of the EDC-53007 EEBO/27873 contract relating to the project entitled 'e-Content Exposure and Business Opportunities'.

Operative part

The Court:

1. Dismisses the action;

2. Orders Evropaïki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE to pay the costs.

Judgment of the General Court (Second Chamber) of 9 February 2010 — PromoCell bioscience alive v OHIM (SupplementPack)

(Case T-113/09)

(Community trade mark — Application for Community word mark SupplementPack — Absolute ground for refusal — Descriptive