consultancy services (OJ 2005 S 187) and to award the contract to another tenderer or, in the alternative, a claim for damages.

Operative part

The Court:

1. Dismisses the action;

2. Orders Evropaïki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE to bear its own costs and to pay those of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA).

Judgment of the General Court (Fifth Chamber) of 9 September 2010 — Evropaïki Dynamiki v Commmission

(Case T-387/08)

(Public service contracts — Publications Office's tendering procedure — Provision of computing services — Rejection of a tenderer's bid — Action for annulment — Award criteria and sub-criteria — Duty to state reasons — Equal treatment — Transparency — Manifest error of assessment — Misuse of powers — Claim for damages)

1. *European Communities' public procurement — Conclusion of a contract following a call for tenders — Discretion of the institutions — Judicial review — Limits (see paras 30, 77)*

2. *Acts of the institutions — Statement of reasons — Obligation — Scope (Art. 253 EC; Council Regulation No 1605/2002, Art. 100(2); Comission Regulation No 2342/2002, Art. 149(3)) (see paras 31-38, 58-60, 63-67)*

Re:

APPLICATION (i) for annulment of the decision of the Publications Office of the European Union of 20 June 2008 rejecting the tender submitted by the applicant in Call for Tender AO 10185 for computing services — maintenance of the SEI-BUD/AMD/CR systems and related services and of the decision to award the contract to another tenderer, and (ii) for damages.

Operative part

The Court:

1. Dismisses the action;

2. Orders Evropaïki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE to bear 90 % of its own costs and to pay 90 % of the costs incurred by the European Commission, and the latter to bear 10 % of its own costs and to pay 10 % of the costs incurred by Evropaïki Dynamiki — Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE.

Judgment of the General Court (Fifth Chamber) of 9 September 2010 — Nadine Trautwein Rolf Trautwein v OHIM (Hunter)

(Case T-505/08)

(Community trade mark — Application for Community word mark Hunter — Absolute ground for refusal — Descriptive character — Article 7(1)(c) of Regulation (EC) No 40/94 (now Article 7(1)(c) of Regulation (EC) No 207/2009) — Restriction of the goods designated in the trade mark application)