

Judgment of the General Court of 19 October 2022 — Sogia Ellas v Commission(Case T-347/20) ⁽¹⁾

(State aid — Activities linked to the production, processing and marketing of agricultural products — Aid schemes granted by Greece in the form of interest subsidies and State guarantees on existing and new loans to compensate for damage caused by natural disasters or exceptional occurrences — Decision declaring the aid schemes incompatible with the internal market and unlawful and ordering the recovery of the aid paid — Aid limited to disaster-hit geographical areas — Advantage — Selectivity — Market economy operator principle — Principle of sound administration — Right to be heard — Length of the procedure — Protection of legitimate expectations — Limitation period — Article 17 of Regulation (EU) 2015/1589)

(2022/C 482/24)

Language of the case: Greek

Parties

Applicant: Sogia Ellas AE (Athens, Greece) (represented by: P. Bernitsas, M. Androulakaki, A. Patsalia and E. Kalogiannis, lawyers)

Defendant: European Commission (represented by: A. Bouchagiar and T. Ramopoulos, acting as Agents)

Intervener in support of the defendant: Myloi Sogias AE (Maroussi, Greece) (represented by: S. Pappas and A. Pappas, lawyers)

Re:

By its action under Article 263 TFEU, the applicant seeks annulment of Commission Decision (EU) 2020/394 of 7 October 2019 concerning the measures SA.39119 (2016/C) (ex 2015/NN) (ex 2014/CP) implemented by the Hellenic Republic in the form of interest subsidies and guarantees linked to the fires of 2007 (the present decision covers only the agricultural sector) (OJ 2020 L 76, p. 4).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Sogia Ellas AE to bear its own costs and to pay those incurred by the European Commission;
3. Orders Myloi Sogias AE to bear its own costs.

⁽¹⁾ OJ C 271, 17.8.2020.

Judgment of the General Court of 19 October 2022 — Lenovo Global Technology Belgium v Joint Undertaking EuroHPC(Case T-717/20) ⁽¹⁾

(Public procurement — Tendering procedure — Acquisition, delivery, installation and maintenance of the Leonardo Supercomputer for the hosting entity Cineca — Rejection of a tenderer's bid — Equal treatment — Principle of sound administration — Manifest error of assessment)

(2022/C 482/25)

Language of the case: English

Parties

Applicant: Lenovo Global Technology Belgium BV (Machelen, Belgium) (represented by S. Sakellariou, G. Forwood and F. Abou Zeid, lawyers)

Defendant: European High-Performance Computing Joint Undertaking (represented by P.-E. Partsch and F. Dewald, lawyers)

Intervener in support of the defendant: European Commission (represented by L. André, M. Ilkova, P.-J. Loewenthal, C. Vollrath and T. Van Noyen, acting as Agents)

Re:

By its action based on Article 263 TFEU, the applicant seeks annulment of the decision Ares(2020)5103538 of the European High-Performance Computing Joint Undertaking (EuroHPC) of 29 September 2020 rejecting the tender submitted by the applicant concerning the third lot in call for tenders SMART 2019/1084 relating to the acquisition, delivery, installation and maintenance of the Leonardo Supercomputer for the hosting entity Cineca and awarding the contract to another tenderer.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Lenovo Global Technology Belgium BV to bear its own costs and to pay those incurred by the European High-Performance Computing Joint Undertaking (EuroHPC);
3. Orders the European Commission to bear its own costs.

⁽¹⁾ OJ C 53, 15.2.2021.

Judgment of the General Court of 19 October 2022 — Greenwich Polo Club v EUIPO — Lifestyle Equities (GREENWICH POLO CLUB)

(Case T-437/21) ⁽¹⁾

(EU trade mark — Opposition proceedings — Application for the EU figurative mark GREENWICH POLO CLUB — Earlier EU word mark BEVERLY HILLS POLO CLUB — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EU) 2017/1001 — Scope of the examination to be carried out by the Board of Appeal — Article 71 of Regulation 2017/1001 — Article 27(2) of Delegated Regulation (EU) 2018/625)

(2022/C 482/26)

Language of the case: English

Parties

Applicant: Greenwich Polo Club, Inc. (Greenwich, Connecticut, United States) (represented by: R. Zammit, lawyer)

Defendant: European Union Intellectual Property Office (represented by: T. Frydendahl and J. Ivanauskas, acting as Agents)

Other party to the proceedings before the Board of Appeal of EUIPO, intervener before the General Court: Lifestyle Equities CV (Amsterdam, Netherlands) (represented by: S. Terpstra, lawyer)

Re:

By its action under Article 263 TFEU, the applicant seeks the annulment of the decision of the First Board of Appeal of the European Union Intellectual Property Office (EUIPO) of 10 May 2021 (Case R 300/2020-1), relating to opposition proceedings between the intervener, Lifestyle Equities CV, and itself.