

Order of the President of the General Court of 27 February 2025 –  
Capgemini España and UniSystems Luxembourg v EUIPO

(Case T-595/24 R)

(Interim relief – Public supply contracts – Provision of advisory services – Application for interim measures – No urgency)

1. Interim relief – Suspension of operation of a measure – Interim measures – Conditions for granting – Prima facie case – Urgency – Serious and irreparable damage – Cumulative nature – Weighing up of all the interests involved – Order of examination and method of verification – Discretion of the court hearing the application for interim relief

*(Arts 256(1), 278 and 279 TFEU; Rules of Procedure of the General Court, Art. 156(4))*

*(see paragraphs 12-15)*

2. Interim relief – Suspension of operation of a measure – Interim measures – Conditions for granting – Urgency – Serious and irreparable damage – Burden of proof – Financial damage – Obligation to provide specific and precise information, supported by detailed documentary evidence – Situation liable to endanger the existence of the applicant company – Assessment in the light of its size and turnover and the situation of the group to which it belongs

*(Arts 256(1), 278 and 279 TFEU; Rules of Procedure of the General Court, Art. 156(4))*

*(see paragraphs 18, 30-33)*

3. Interim relief – Suspension of operation of a measure – Conditions for granting – Urgency – Assessment in public procurement litigation – Serious damage – Sufficient in the case of a particularly serious prima facie case constituted by an obvious and serious illegality – Condition – Application for interim measures brought in the standstill period before conclusion of the contract with the successful tenderer

*(Arts 278 and 279 TFEU; Charter of Fundamental Rights of the European Union, Art. 47; European Parliament and Council Regulation No 2018/1046, Art. 175)*

*(see paragraphs 19, 20)*

4. Interim relief – Suspension of operation of a measure – Conditions for granting – Serious and irreparable damage – Decision to exclude a tenderer from a tender procedure – Damage to its reputation – Damage which cannot be regarded as irreparable

*(Arts 278 and 279 TFEU)*

*(see paragraph 46)*

### **Operative part**

1. The application for interim measures is dismissed.
2. The order of 26 November 2024, *Capgemini España and UniSystems Luxembourg v EUIPO* (T-595/24 R, not published) is cancelled.
3. The costs are reserved.