

The applicant claims that the Court should:

- grant him a Declaration that Commission Regulation (EC) No. 2062/2001 of 19 October 2001 and Council Regulation (EC) No. 467/2001 of 6 March 2001 are, insofar as they relate to the applicant, void, and an Order for annulment in this regard;
- order that the Council and/or the Commission pay the applicant's costs of this action.

Pleas in law and main arguments

The applicant in the present case, a citizen of Saudi Arabia with substantial financial interests within the European Union, challenges Regulation (EC) No 2062/2001 of 19 October 2001, amending, for the third time, Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freezing of funds and other financial resources in respect of the Taliban of Afghanistan and repealing Regulation (EC) No 337/2000⁽¹⁾, in as much as it inserted the applicant's name into Annex I to Council Regulation (EC) No 467/2001. By Article 2/1 of the latter, all funds belonging to persons designated by the Taliban Sanctions Committee of the United Nations are to be frozen.

In support of its conclusions, the applicant submits that the measures in question:

- Amount to an interference with property rights, protected as a fundamental right within the Community legal order.
- Entitle the Council and the Commission, in violation of the right to a fair hearing, to freeze his assets and to maintain his freeze without granting him any opportunity to make submissions to these authorities seeking to persuade them to release his assets.
- Provide, in violation of the Community Law principle of effective judicial control, no remedy to the Applicant by which he may seek to challenge his inclusion in the list by obtaining an independent judicial assessment of the evidential basis for the interference with his rights.

According to the Applicant, an independent assessment by the Community institutions or by any judicial body of the evidential basis for the freezing of its assets would show there is no basis for the allegations against it.

⁽¹⁾ OJ L 277, of 20.10.2001, p. 25.

Action brought on 17 December 2001 by M+M Gesellschaft für Unternehmensberatung und Informationssysteme mbH against the Office for Harmonisation in the Internal Market (Trade Marks and Designs)

(Case T-317/01)

(2002/C 56/31)

(Language of the case: to be determined pursuant to Article 131(2) of the Rules of Procedure — Language in which the application has been drafted: German)

An action against the Office for Harmonisation in the Internal Market (Trade Marks and Designs) was brought before the Court of First Instance of the European Communities on 17 December 2001 by M+M Gesellschaft für Unternehmensberatung und Informationssysteme mbH, of Frankfurt am Main (Germany), represented by M. Treis, lawyer. A further party to the proceedings before the Board of Appeal was Mediametrie S.A., of Levallois Perret (France).

The applicant claims that the Court should:

- annul the decision adopted on 2 October 2001 by the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) in Case No R 698/2000-1;
- order the Office to pay the applicant's costs.

Pleas in law and main arguments

Applicant for the Community trade mark:	the applicant
The Community trade mark applied for:	the verbal mark 'M+M EURODATA' for goods and services in Classes 9, 16, 35, 41 and 42 (<i>inter alia</i> software, market research and seminars)
Proprietor of the trade-mark right opposed in the opposition proceedings:	Mediametrie S.A.
Trade-mark right opposed:	the Irish, French and international (effective in respect of Benelux, Spain, Italy and Portugal) verbal mark 'EURODATA TV'
Decision of the Opposition Division:	rejection of the opposition

Decision of the Board of Appeal: rescission of the decision of the Opposition Division and referral of the case back to the Opposition Division as regards the goods and services not covered by the decision of the Board of Appeal.

Grounds of claim:

- infringement of Article 8(1)(b) of Regulation (EC) No 40/94⁽¹⁾;
- no risk of confusion;
- no similarity between the allegedly conflicting services.

⁽¹⁾ Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark (OJ 1994 L 11, p. 1).

Action brought on 17 December 2001 by Pietro del Vaglio against the Commission of the European Communities

(Case T-320/01)

(2002/C 56/32)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 17 December 2001 by Pietro del Vaglio, residing in London, represented by Georges Vanderstanden and Laure Levi, lawyers.

The applicant claims that the Court should:

- annul the defendant's decision of 6 September 2001 rejecting the applicant's complaint concerning the application to his pension of the weighting for the United Kingdom;
- order the defendant to apply the weighting for the United Kingdom with retroactive effect from 24 September 2000;

- order the defendant to pay damages provisionally assessed, on a fair and equitable basis, in the sum of 10 000 euros and to pay interest at 7 % per annum on the balance of the pension due from 24 September 2000 to 1 April 2001;
- order the defendant to pay all the costs.

Pleas in law and main arguments

The pleas in law and arguments advanced are broadly similar to those put forward in Case T-124/01 *Del Vaglio v Commission* (OJ 2001 C 227, p. 31).

Action brought on 15 December 2001 by Internationaler Hilfsfonds e.V. against the Commission of the European Communities

(Case T-321/01)

(2002/C 56/33)

(Language of the case: French)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 15 December 2001 by Internationaler Hilfsfonds e.V., established at Rosbach (Federal Republic of Germany), represented by Hans Kaltenecker, lawyer.

The applicant claims that the Court should:

- annul the decision of the European Commission of 16 October 2001 by which it refused the applicant's 1996 and 1997 requests for co-financing;
- order the Commission, pursuant to the principle of reimbursement, to pay the costs, including those resulting from the procedures before the Ombudsman which the applicant was constrained to incur in order to obtain its entitlement.

Pleas in law and main arguments

The applicant is challenging the Commission's decision of 16 October 2001 rejecting three requests for co-financing which it had made under budget heading B7-6000, concerning the co-financing of actions with European non-governmental development organisations (NGDOs) in fields relating to developing countries.