

The applicant claims that the Court should:

- annul the Decision of the defendant's Second Board of Appeal of 11 July 2003 in Case R 266/2002-1 in its entirety;
- order the defendant to pay the costs.

*Pleas in law and main arguments*

Community trade mark applied for:	Word mark 'Rockbass' — Application No 2401123
Goods or services:	Goods in Classes 9, 15 and 18 ( <i>inter alia</i> , technical sound equipment, musical instruments and containers)
Decision appealed to the Board of Appeal:	Examiner's refusal to register
Decision of the Board of Appeal:	Dismissal of the appeal
Pleas in law:	<ul style="list-style-type: none"> <li>— infringement of Article 7(1)(b) and (c) of Regulation (EC) No 40/94;</li> <li>— infringement of the principle of examination of the facts by the Office of its own motion pursuant to Article 74(1)(1) of Regulation (EC) No 40/94;</li> <li>— infringement of essential procedural requirements.</li> </ul>

**Action brought on 12 September 2003 by Münchener Rückversicherungs-Gesellschaft Aktiengesellschaft against the Office for Harmonisation in the Internal Market (Trade marks and Designs) (OHIM)**

**(Case T-316/03)**

(2003/C 289/59)

*(Language of the case: German)*

An action against the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) was brought before the Court of First Instance of the European Communities on 12 September 2003 by Münchener Rückversicherungs-Gesellschaft Aktiengesellschaft, represented by G. Würtenberger and R. Kunze, lawyers.

The applicant claims that the Court should:

- annul the Decision of the Fourth Board of Appeal of 26 June 2003 in Case R 337/2002-4 relating to Community trade mark application 1 708 973 'MunichFinancialServices' (word mark);
- order the defendant to pay the costs.

*Pleas in law and main arguments*

Community trade mark sought:	Word mark 'MunichFinancialServices' — Application No 1 708 973
Goods or services:	Services in Classes 36 (financial services)
Decision appealed to the Board of Appeal:	Examiner's refusal to register
Decision of the Board of Appeal:	Dismissal of appeal
Pleas in law:	Infringement of Article 7(1)(c) of Regulation (EC) No 40/94

**Action brought on 23 September 2003 by E-Sim Limited against the Office for Harmonisation in the Internal Market (Trade Marks and Designs)**

**(Case T-325/03)**

(2003/C 289/60)

*(Language of the case to be determined pursuant to Article 131(2) of the Rules of Procedure — Language in which the application was submitted: 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 23 September 2003 by E-Sim Limited, represented by Dr Andreas Ebert-Weidenfeller. Druckhaus Remstal-Bote GmbH, Waiblingen (Germany) was also a party to the proceedings before the Board of Appeal.