

ORDER OF THE COURT OF FIRST INSTANCE**of 14 October 2004****in Case T-3/03: Everlast World's Boxing Headquarters Corporation v Office for Harmonisation in the Internal Market (Trade Marks and Designs)(OHIM) ⁽¹⁾****(Community trade mark — Partial refusal of registration — Withdrawal of the application — No need to adjudicate)**

(2005/C 6/70)

(Language of the case: German)

In Case T-3/03: Everlast World's Boxing Headquarters Corporation, established in New York (United States), represented by A Renck, V. Bomhard, A. Pohlmann and C. Albrecht, lawyers, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agents: D. Schennen and G. Schneider) – action against the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 30 October 2002 (Case R 391/2001-1) relating to the application for registration of the word mark 'Choice of Champions' – the Court of First Instance (Second Chamber), composed of: J. Pirrung, President, A.W.H. Meij and S. Papasavvas, Judges; H. Jung, Registrar, made an order on 14 October 2004, the operative part of which is as follows:

- 1) *There is no longer any need to adjudicate on the application.*
- 2) *Each party is to bear its own costs.*

⁽¹⁾ OJ C 55 of 8.3.2003.

ORDER OF THE COURT OF FIRST INSTANCE**of 27 September 2004****in Case T-108/04: Nikolaus Steininger v Commission of the European Communities ⁽¹⁾****(Career development report — Reduction of merit points — Not necessary to proceed to judgment)**

(2005/C 6/71)

(Language of the case: French)

In Case T-108/04: Nikolaus Steininger, an official of the Commission, residing in Brussels, represented by N. Lhoest, lawyer, with an address for service in Luxembourg, against Commission of the European Communities (Agents: C.

Berardis-Kayser and H. Kraemer, with an address for service in Luxembourg) — Application for annulment of the Commission's decision reducing the merit points awarded to the applicant for the assessment period 2001-2002 — the Court of First Instance (Fourth Chamber), composed of H. Legal, President, P. Mengozzi and I. Wiszniewska-Bialecka, Judges; H. Jung, Registrar, has made an order on 27 September 2004, in which it:

- (1) *Declares that it is no longer necessary to proceed to judgment;*
- (2) *Orders the Commission to bear its own costs and to pay those incurred by the applicant.*

⁽¹⁾ OJ C 106 of 30.4.2004.

ORDER OF THE PRESIDENT OF THE COURT OF FIRST INSTANCE**of 15 October 2004****in Case T-193/04 R, Hans-Martin Tillack v Commission of the European Communities****(Proceedings for interim measures — Application for interim relief and for suspension of operation of a measure)**

(2005/C 6/72)

(Language of the case: English)

In Case T-193/04 R: Hans-Martin Tillack, represented by I. Forrester QC, T. Bosly, C. Arhold, N. Flandin, J. Herrlinger and J. Siaens, lawyers, against the Commission of the European Communities (Agents: C. Docksey and C. Ladenburger, with an address for service in Luxembourg) — application for suspension of any further implementation or action pursuant to the alleged complaint of the European Anti-Fraud Office (OLAF) of 11 February 2004 to the Belgian and German judicial authorities and for an order that OLAF refrain from obtaining, inspecting, examining or hearing the contents of any documents and information in the possession of the Belgian and German judicial authorities following the search of the applicant's home and office carried out on 19 March 2004 — the President of the Court of First Instance has made an order on 15 October 2004, the operative part of which is as follows:

1. *The application for interim measures is dismissed.*
2. *Costs are reserved.*