

- 1 *The appeal is dismissed.*
- 2 *The appellant is ordered to bear the costs.*

(¹) OJ C 264 of 1.11.2003

ORDER OF THE PRESIDENT OF THE COURT OF FIRST INSTANCE

of 22 December 2004

in Case T-201/04 R **Microsoft Corporation v Commission of the European Communities**

(Proceedings for interim relief — Article 82 EC)

(2005/C 69/31)

(Language of the case: English)

In Case T-201/04 R: **Microsoft Corporation**, established in Redmond, Washington (United States), represented by J.-F. Bellis, lawyer, and I.S. Forrester QC, supported by **The Computing Technology Industry Association, Inc.**, established in Oakbrook Terrace, Illinois (United States), represented by G. van Gerven and T. Franchoo, lawyers, and B. Kilpatrick, Solicitor, **Association for Competitive Technology, Inc.**, established in Washington, DC (United States), represented by L. Ruessmann and P. Hecker, lawyers, **TeamSystem SpA**, established in Pesaro (Italy) and **Mamut ASA**, established in Oslo (Norway), both represented by G. Berrisich, lawyer, **DMDsecure.com BV**, established in Amsterdam (Netherlands), **MPS Broadband AB**, established in Stockholm (Sweden), **Pace Micro Technology plc**, established in Shipley, West Yorkshire (United Kingdom), **Quantel Ltd**, established in Newbury, Berkshire (United Kingdom) and **Tandberg Television Ltd**, established in Southampton, Hampshire (United Kingdom), all represented by J. Bourgeois, lawyer, **Exor AB**, established in Uppsala (Sweden), represented by S. Martínez Lage, H. Brokelmann and R. Allendesalazar Corcho, lawyers against **Commission of the European Communities** (Agents: R. Wainwright, W. Mölls, F. Castillo de la Torre and P. Hellström), supported by **RealNetworks, Inc.**, established in Seattle, Washington (United States), represented by A. Winckler, M. Dolmans and T. Graf, lawyers, **Software & Information Industry Association**, established in Washington, DC, represented by C.A. Simpson, Solicitor, **Free Software Foundation Europe eV**, established in Hamburg (Germany), represented by C. Piana, lawyer — application for suspension of the operation of Articles 4, 5(a) to (c) and 6(a) of Commission Decision C(2004) 900 final of 24

March 2004 relating to a proceeding under Article 82 EC (Case COMP/C-3/37.792 Microsoft) — the President of the Court of First Instance has made an order on 22 December 2004, the operative part of which is as follows:

1. *The request for confidential treatment submitted by Microsoft Corporation is granted at the interim measures stage.*
2. *Audiobanner.com, trading as VideoBanner, is granted leave to intervene in support of the form of order sought by the Commission in the interim measures proceedings.*
3. *The Computer & Communications Industry Association is removed from the case as intervener in support of the form of order sought by the Commission in the interim measures proceedings.*
4. *Novell Inc. is removed from the case as intervener in support of the form of order sought by the Commission in the interim measures proceedings.*
5. *The application for interim measures is dismissed.*
6. *Costs are reserved.*

ORDER OF THE COURT OF FIRST INSTANCE

of 13 December 2004

in Case T-269/04 **IDOM SA v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)** (¹)

(Community trade mark — Withdrawal of application for registration — No need to adjudicate)

(2005/C 69/32)

(Language of the case: Spanish)

In Case T-269/04, **IDOM SA**, established in Bilbao, Spain, represented by Tatiana Villate Consonni, lawyer, against the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agent: Ignacio de Medrano Caballero), the other party to the proceedings before the Board of Appeal of the OHIM being **IDOM Inc.**, established in New Jersey (United States), represented by Fry Heath and Spence LLP, lawyers; appeal against the decision of the Second Board of Appeal of the OHIM of 27 April 2004 (Case R 153/2003-2), concerning registration of the sign **IDOM** as a Community trade mark, the Court of First Instance (Fifth Chamber), composed of M. Vilaras, President, M.E. Martins Ribeiro and K. Jürimäe, Judges; Registrar, H. Jung, made an order on 13 December 2004, the operative part of which is as follows: