

3. Orders the applicants to bear their own costs and those incurred by the Commission in the main proceedings and in the interim proceedings;

4. Orders the intervening parties to bear their own costs.

(¹) OJ C 245 of 1.9.2001.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 15 February 2005

in Case T-256/01 Norman Pyres v Commission of the European Communities (¹)

(Officials — Selection procedure for the recruitment of temporary agents — Non-admission to the tests — Age limit — Principle of non-discrimination)

(2005/C 93/49)

(Language of the case: French)

In Case T-256/01: Norman Pyres, a former temporary agent of the Commission of the European Communities, residing in Brussels (Belgium), represented by G. Vandersanden and L. Levi, lawyers, against the Commission of the European Communities (Agents: J. Currall and F. Clotuche-Duvieusart, with an address for service in Luxembourg) — action for annulment of the 'Research' Selection Committee's decisions COM/R/A/14/2000 of 1 December 2000, COM/R/A/07/2000 of 4 December 2000, and COM/R/A/10/2000 of 7 December 2000, not to admit the applicant to the selection procedures organised by the 'Research' Directorate General on the ground that he did not satisfy the condition relating to the age limit, — the Court of First Instance (First Chamber), composed of B. Vesterdorf, President, P. Mengozzi and I. Labucka, Judges; H. Jung, Registrar, gave a judgment on 15 February 2005, in which it:

1. Dismisses the action.
2. Orders each party to bear its own costs.

(¹) OJ C 17 of 19.1.2002.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 15 February 2005

in Case T-169/02 Cervecería Modelo, SA de CV v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (¹)

(Community trade mark — Opposition proceedings — Application for a Community figurative mark representing a bottle of beer including the verbal element 'negra modelo' — Earlier national figurative mark Modelo — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94)

(2005/C 93/50)

(Language of the case: Spanish)

In Case T-169/02: Cervecería Modelo, SA de CV, established in Mexico, represented by C. Lema Devesa and A. Velázquez Ibáñez, lawyers, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agents: J. Crespo Carrillo and I. de Medrano Caballero), the other party to the proceedings before the OHIM Board of Appeal, and intervenor before the Court of First Instance, being Modelo Continente Hipermercados, SA, established in Senhora da Hora (Portugal), represented by N. Cruz, J. Pimenta and T. Colaço Dias, lawyers — action brought against the decision of the Third Board of Appeal of OHIM of 6 March 2002 (Cases R 536/2001-3 and R 674/2001-3), concerning opposition proceedings between Cervecería Modelo, SA de CV and Modelo Continente Hipermercados, SA — the Court of First Instance (First Chamber), composed of B. Vesterdorf, President, P. Mengozzi and I. Labucka, Judges; H. Jung, Registrar, gave a judgment on 15 February 2005, in which it:

1. Dismisses the application;
2. Orders the applicant to pay the costs.

(¹) OJ C 180 of 27.7.2002.