

- allow registration of the Community trade mark 2 778 488
- order the Office for Harmonisation in the Internal Market to pay the costs.

Pleas in law and main arguments

Community trade mark concerned: A three-dimensional mark of a transparent rectangular container with rounded angles on the underside and sphere like on the upper side, containing speckled blue gel and a large white ball, for goods in class 1 (water softeners etc.) and 3 (laundry preparations etc.) — application No 2 778 488

Decision of the examiner: Refusal of registration

Decision of the Board of Appeal: Dismissal of the appeal

Pleas in law:

- Misapplication of Article 7(1)(b) of Regulation (EC) No 40/94
- Misapplication of Article 7(1)(c) of Regulation (EC) No 40/94

in Brussels, Reina Cantalejo María Teresa, residing in Brussels and Tejada Fernández Miguel, residing in Zaventem (Belgium), represented by S. Rodrigues and A. Jaume, lawyers, with an address for service in Luxembourg.

The applicants claim that the Court should:

1. annul the Appointing Authority's decisions rejecting the applicants' complaints, taken together with the Appointing Authority's decisions of 1 May 2004 changing the applicants' grades to Grade A*8 or B*8;
2. annul the applicants' pay slips implementing the Appointing Authority's decision to change the applicants' grades to Grade A*8 or B*8 from 1 May 2004;
3. invite the Commission to recognise the applicants as being eligible for promotion to Grade A*10 and B*10 on their next promotion;
4. order the Commission to make good the loss suffered by the applicants as a result of their not having been placed in Grade A*9 or B*9 from 1 May 2004;
5. order the defendant to pay all the costs.

Pleas in law and main arguments

The pleas in law and main arguments are those relied upon in case T-114/05 *Joerg Peter Block and Others v Commission*.

Action brought on 8 March 2005 by Andreas Knaul and Others against the Commission of the European Communities

(Case T-120/05)

(2005/C 115/64)

(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 8 March 2005 by Knaul Andreas, residing in Riga (Latvia), Márquez Camacho Antonio, residing

Action brought on 11 March 2005 by Olivier Chassagne against the Commission of the European Communities

(Case T-123/05)

(2005/C 115/65)

(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 11 March 2005 by Olivier Chassagne, residing in Brussels, represented by Stéphane Rodrigues and Yola Minatchy, lawyers, with an address for service in Luxembourg.