

— Order the Office to pay TeleTech's US's costs relating to its proceedings both in the Court of First Instance and before the Board of Appeal.

*Pleas in law and main arguments*

Applicant for Community trade mark: TELETECH INTERNATIONAL S.A.

Community trade mark concerned: Word mark TELETECH INTERNATIONAL for services in classes 35, 38 and 42

Proprietor of mark or sign cited in the opposition proceedings: The applicant

Trade mark or sign cited in opposition: National mark 'TELETECH' and Community trade mark 'TELETECH GLOBAL VENTURES'

Decision of the Opposition Division: Registration refused

Decision of the Board of Appeal: Declares the appeal inadmissible

Pleas in law: The applicant contends that the Court of First Instance's judgment of 16 September 2004 in case T-342/02, Metro-Goldwyn-Mayer Lion / OHMI declaring an appeal brought in similar circumstances inadmissible, was wrongly decided; in the alternative, it submits that this judgment could be distinguished; finally, it submits that its position in the USA has been seriously prejudiced by the decision of the Opposition Division and that, therefore, its appeal against the latter's decision should have been declared admissible.

**Removal from the Register of Case T-398/02 <sup>(1)</sup>**

(2005/C 171/57)

*(Language of the case: Italian)*

By order of 2 May 2005, the President of the Fourth Chamber of the Court of First Instance of the European Communities has ordered the removal from the Register of Case T-398/02, Linea GIG S.r.l. in liquidation v Commission of the European Communities.

<sup>(1)</sup> OJ C 44 of 22.2.2003.

**Removal from the Register of Case T-441/03 <sup>(1)</sup>**

(2005/C 171/58)

*(Language of the case: Dutch)*

By order of 28 April 2005, the President of the Fourth Chamber of the Court of First Instance of the European Communities has ordered the removal from the Register of Case T-441/03, N.V. Firma Léon Van Parys and Others v Commission of the European Communities.

<sup>(1)</sup> OJ C 59 of 6.3.2004.

**Removal from the Register of Case T-244/04 <sup>(1)</sup>**

(2005/C 171/59)

*(Language of the case: Dutch)*

By order of 4 May 2005, the President of the Second Chamber of the Court of First Instance of the European Communities has ordered the removal from the Register of Case T-244/04, Elisabeth Saskia Smit v Europese Politiedienst (Europol).

<sup>(1)</sup> OJ C 217 of 28.8.2004.