

**ORDER OF THE COURT OF FIRST INSTANCE****of 22 April 2005****in Case T-399/03 Arnaldo Lucaccioni v Commission of the European Communities** <sup>(1)</sup>**(Officials — Occupational illness — Request for recognition of aggravation — Implementation of a judgment of the Court of First Instance — Legal classification of a note of the Commission — Action for annulment — Inadmissibility)**

(2005/C 182/67)

*(Language of the case: French)*

In Case T-399/03: Arnaldo Lucaccioni, former official of the Commission of the European Communities, residing in St-Leonards-on-Sea, represented by J. R. Iturriagoitia and K. Delvolvé, lawyers, against Commission of the European Communities (Agent: J. Currall, assisted by J.-L. Fagnart, lawyer, with an address for service in Luxembourg) — action for annulment of the decision of the Commission of 10 March 2003 implementing the judgment of the Court of First Instance of 26 February 2003 given in Case T-212/01, and for annulment of the medical report compiled during that procedure — the Court of First Instance (Second Chamber), composed of J. Pirrung, President, N.J. Forwood and S. Pappasavvas, Judges; H. Jung, Registrar, made an order on 22 April 2005, the operative part of which is as follows:

1. *The application is dismissed as inadmissible.*
2. *Each party shall bear its own costs.*

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<sup>(1)</sup> OJ C 47, 21.2.2004

**ORDER OF THE COURT OF FIRST INSTANCE****of 28 February 2005****in Case T-445/04 Energy Technologies ET S.A. v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)** <sup>(1)</sup>**(Community trade mark — Representation by a lawyer — Manifest inadmissibility)**

(2005/C 182/68)

*(Language of the case: English)*

In Case T-445/04: Energy Technologies ET S.A., established in Fribourg (Switzerland), represented by A. Boman, against Office

for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM), the other party to the proceedings before the Board of Appeal of OHIM being Aparellaje eléctrico, SL, established in Hospitalet de Llobregat (Spain) — action brought against the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (OHIM) of 7 July 2004 (Case R 366/2002-4) concerning an application for registration of the word mark UNEX as a Community trade mark — the Court of First Instance (Fourth Chamber), composed of H. Legal, President, P. Mengozzi and I. Wiszniewska-Białecka, Judges; H. Jung, Registrar, made an order on 28 February 2005, the operative part of which is as follows:

1. *The action is dismissed as being manifestly inadmissible.*
2. *The applicant shall bear its own costs.*

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<sup>(1)</sup> OJ C 31 of 5.2.2005.

**Action brought on 23 March 2005 by Commission of the European Communities against Impetus Consultants****(Case T-138/05)**

(2005/C 182/69)

*(Language of the case: Greek)*

An action against the company, Impetus Consultants, was brought before the Court of First Instance of the European Communities on 23 March 2005 by the Commission of the European Communities, represented by D. Triandafilou, assisted by N. Kostikas, lawyer.

The applicant claims that the Court should:

- order the defendant to pay the amount of EUR 235 655,21 comprising EUR 160 380,35, by way of capital, and EUR 75 274,86, in respect of interest for late payment, as from the due date on the basis of each debit note;
- order the defendant to pay as from 15 March 2005 until full settlement the debt arising out of the 'COP 493 — Invite' contract daily interest in the amount of EUR 41,93; in regard to the debt arising out of the 'TR 1006 — Ausias' contract daily interest in the amount of EUR 1,66 and in regard to the 'V 2043 — Artis' contract daily interest of EUR 1,01;
- order the defendant to pay the costs.