

Application for

ACTION brought against the decision of the Fourth Board of Appeal of OHIM of 30 April 2003 (Case R 913/2001-4) concerning opposition proceedings between Focus Magazin Verlag GmbH and ECI Telecom Ltd,

Operative part of the judgment

The Court:

1. Annuls the decision of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) of 30 April 2003 (Case R 913/2001-4);
2. Orders the defendant to pay the costs.

(¹) OJ C 251, 18.10.2003.

Judgment of the Court of First Instance of 15 November 2005 — Righini v Commission

(Case T-145/04) (¹)

(Officials — Temporary staff — Classification in grade and in step — Classification in the higher career grade)

(2006/C 10/39)

Language of the case: French

Parties

Applicant: Elisabetta Righini (Brussels, Belgium) (represented by: É. Boigelot, lawyer)

Defendant: Commission of the European Communities (represented by: V. Joris and C. Berardis-Kayser, Agents, assisted by D. Waelbroeck, lawyer)

Application for

annulment of the Commission's decisions to classify the applicant on her entry into service in Grade A7, step 3, whether as a member of the temporary staff or as a probationary official, and, in so far as is necessary, annulment of the decision of 21 January 2004 rejecting the applicant's complaint

Operative part of the judgment

The Court:

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

(¹) OJ C 179 of 10.7.2004.

Order of the Court of First Instance of 17 October 2005 — First Data Corp. and Others v Commission of the European Communities

(Case T-28/02) (¹)

(Competition — Article 81 EC — Visa payment card scheme — The 'no-acquiring-without-issuing' rule — Negative clearance — Rule abolished during the proceedings — Legal interest in bringing proceedings — No need to adjudicate)

(2006/C 10/40)

Language of the case: English

Parties

Applicants: First Data Corp. (Wilmington, Delaware, USA), FDR Ltd (Dover, Delaware, United States), and First Data Merchant Services Corp. (Sunrise, Florida, USA) (represented by: initially, P. Bos and M. Nissen, then P. Bos, lawyers)

Defendant: Commission of the European Communities (represented by: initially, R. Wainwright, W. Wils and V. Superti, then R. Wainwright and T. Christoforou, Agents)

Application for

annulment of the fifth indent of Article 1 of Commission Decision 2001/782/EC of 9 August 2001 relating to a proceeding under Article 81 of the EC Treaty and Article 53 of the EEA Agreement (Case No COMP/29.373 — Visa International) (OJ 2001 L 293, p. 24)

Operative part of the Order

1. There is no need to adjudicate on this case.
2. The applicants and the Commission shall bear their own costs.

(¹) OJ C 109, 4.5.2002.