

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 10 June 2005 (Case R 1145/2004-1) relating to opposition proceedings between Terra Network, SA and Carsten Brinkmann.

**Operative part of the judgment**

The Court:

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

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(<sup>1</sup>) OJ C 281, 12.11.2005.

**Judgment of the Court of First Instance of 22 March 2007  
— Saint-Gobain Pam v OHIM — Propamsa (PAM  
PLUVIAL)**

(Case T-364/05) (<sup>1</sup>)

*(Community trade mark — Opposition proceedings — Application for the Community word mark PAM PLUVIAL — Earlier national figurative marks PAM — Relative ground for refusal — Likelihood of confusion — Proof of use — Article 8(1)(b) and Article 43 of Regulation (EC) No 40/94)*

(2007/C 95/80)

Language of the case: French

**Parties**

*Applicant:* Saint-Gobain Pam SA (Nancy, France) (represented by: J. Blanchard and G. Marchais, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Rassat, Agent)

*Other party to the proceedings before the Board of Appeal of OHIM:* Propamsa, SA (Barcelona, Spain)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 15 April 2005 (Case R 414/2004-4) concerning registration of the word mark PAM PLUVIAL and relating to opposition proceedings between Propamsa, SA and Saint-Gobain Pam SA.

**Operative part of the judgment**

The Court:

1. Dismisses the action;
2. Orders the applicant, Saint-Gobain Pam SA, to pay the costs.

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(<sup>1</sup>) OJ C 315, 10.12.2005.

**Order of the Court of First Instance of 5 March 2007 —  
Beyatli and Candan v Commission**

(Case T-455/04) (<sup>1</sup>)

*(Officials — Open competition — Notice of competition — Time-limits — Complaint — Inadmissibility)*

(2007/C 95/81)

Language of the case: English

**Parties**

*Applicants:* Derya Beyatli (Nicosia, Cyprus) and Armagan Candan (Istanbul, Turkey) (represented by: A. Demetriades, lawyer)

*Defendant:* Commission of the European Communities (represented by: J. Currall and H. Krämer, Agents)

**Re:**

Application for annulment of the decision of 5 May 2004 of the president of the selection board of open competition EPSO/A/1/03 notifying the applicants of their failure in the written tests

**Operative part of the order**

1. The action is dismissed as inadmissible.
2. Each of the parties is to bear its own costs.

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(<sup>1</sup>) OJ C 57 of 5.1.2005.

**Order of the Court of First Instance of 27 February 2007  
— SP Entertainment Development v Commission**

(Case T-44/05) (<sup>1</sup>)

*(State aid — Actionable measure — Inadmissibility)*

(2007/C 95/82)

Language of the case: German

**Parties**

*Applicant:* SP Entertainment Development GmbH (Norderfriedrichskoog, Germany) (represented by: C. Demleitner, lawyer)