

Operative part of the judgment

The Court:

1. Annuls Council Decision 2004/306/EC of 2 April 2004 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2003/902/EC in so far as it concerns KONGRA-GEL;
2. Orders the Council to bear, in addition to its own costs, all the costs incurred by the applicants;
3. Orders the United Kingdom of Great Britain and Northern Ireland to pay its own costs.

(¹) OJ C 262, 23.10.2004.

**Judgment of the Court of First Instance of 22 April 2008
— Casa Editorial El Tiempo v OHIM — Instituto Nacional de Meteorología (EL TIEMPO)**

(Case T-233/06) (¹)

(Community trade mark — Opposition — Application for Community word mark EL TIEMPO — Earlier national word marks TELETIEMPO — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94)

(2008/C 142/42)

Language of the case: Spanish

Parties

Applicant: Casa Editorial El Tiempo, SA (Santafé de Bogotá, Colombia) (represented by: A. Fernández Lerroux and A. Fernández Fernández-Pacheco, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: J. García Murillo, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM intervening before the Court of First Instance: Instituto Nacional de Meteorología (Madrid, Spain)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 22 June 2006 (Case R 760/2005-4) concerning opposition proceedings between the Instituto Nacional de Meteorología and Casa Editoria El Tiempo, SA.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Casa Editorial El Tiempo to pay the costs.

(¹) OJ C 261, 28.10.2006.

**Judgment of the Court of First Instance of 23 April 2008
— Leche Celta v OHIM — Celia (Celia)**

(Case T-35/07) (¹)

(Community trade mark — Opposition — Application for Community figurative mark Celia — Earlier national word mark CELTA — Relative ground for refusal — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94)

(2008/C 142/43)

Language of the case: French

Parties

Applicant: Leche Celta, SL (Puentedeume, Spain) (represented by: J. Calderón Chavero, T. Villate Consonni and M. Tañez Manglano, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard-Monguiral, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM intervening before the Court of First Instance: Celia SA (Craon, France) (represented by: D. Masson and F. de Castelnaud, lawyers)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 5 December 2006 (Case R 294/2006-4) concerning opposition proceedings between Leche Celta, SL and Celia SA.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Leche Celta, SL to pay the costs.

(¹) OJ C 82, 14.4.2007.