

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 25 January 2007 (Case R 960/2006-2), relating to opposition proceedings between Creaciones Garel, SA, and Gabel Industria Tessile SpA.

Operative part of the judgment

The Court:

1. Annuls the decision of the Second Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 25 January 2007 (Case R 960/2006-2).
2. Dismisses the action as to the remainder.
3. Orders Gabel Industria Tessile SpA and OHIM each to bear their own costs.

(¹) OJ C 117, 26.5.2007.

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**Order of the Court of First Instance of 2 June 2008 —
WWF-UK v Council**

(Case T-91/07) (¹)

*(Action for annulment — Regulation (EC) No 41/2007 —
Recovery of cod stocks — Setting of the TACs for 2007 —
Measure of general application — Not affected individually —
Inadmissibility)*

(2008/C 183/41)

Language of the case: English

Parties

Applicant: WWF-UK (Godalming, Surrey, United Kingdom) (represented by: M.R. Stein, Solicitor, P. Sands and J. Simor, Barristers)

Defendant: Council of the European Union (represented by: A. de Gregorio Merino and M. Moore, Agents)

Intervener in support of the defendant: Commission of the European Communities (represented by: P. Oliver and M. van Heezik, Agents)

Re:

Partial annulment of Council Regulation No 41/2007 of 21 December 2006 fixing for 2007 fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required (OJ 2007

L 15, p. 1), in so far as it fixes the total allowable catches ('TAC') for 2007 in respect of the fishing of cod in the areas covered by Council Regulation No 423/2004 of 26 February 2004 establishing measures for the recovery of cod stocks (OJ 2004 L 70, p. 8)

Operative part of the order

1. The action is dismissed as being inadmissible.
2. WWF-UK Ltd shall bear its own costs and pay those incurred by the Council.
3. The Commission shall bear its own costs.

(¹) OJ C 117 of 26.5.2007.

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**Order of the Court of First Instance of 2 June 2008 —
Atlantic Dawn and Others v Commission**

(Case T-172/07) (¹)

*(Action for annulment — Fishing quotas — Regulation (EC)
No 2371/2002 — Lack of direct concern — Inadmissibility)*

(2008/C 183/42)

Language of the case: English

Parties

Applicants: Atlantic Dawn and Others (Killybegs, Donegal, Ireland); Antarctic Fishing Co. Ltd (Killybegs, Donegal); Atlantean Ltd (Killybegs, Donegal); Killybegs Fishing Enterprises Ltd (Killybegs, Donegal); Doyle Fishing Co. Ltd (Killybegs, Donegal); Western Seaboard Fishing Co. Ltd (Killybegs, Donegal); O'Shea Fishing Co. Ltd (Killybegs, Donegal); Aine Fishing Co. Ltd (Burtonport, Donegal); Brendelen Ltd (Greencastle, Donegal); Cavankee Fishing Co. Ltd (Greencastle, Donegal); Ocean Trawlers Ltd (Killybegs, Donegal); Eileen Oglesby (Burtonport, Donegal); Noel McGing (Killybegs, Donegal); Mullglen Ltd (Dublin, Ireland); Bradan Fishing Co. Ltd (Sligo, Sligo, Ireland); Larry Murphy (Castletownbere, Cork, Ireland); Pauric Conneely (Claregalway, Galway, Ireland); Thomas Flaherty (Kilronan, Aran Islands, Galway); Carmarose Trawling Co. Ltd (Killybegs, Donegal); Colmcille Fishing Ltd (Killybegs, Donegal), (represented by: G. Hogan, SC, N. Travers, T. O'Sullivan, BL and D. Barry, Solicitor)

Defendant: Commission of the European Communities (represented by: K. Banks, Agent)

Intervener in support of the applicants: Kingdom of Spain (represented by: N. Díaz Abad, abogado del Estado)