

Other party to the proceedings before the Board of Appeal of OHIM intervening before the Court of First Instance: Tihomir Lelas (Zagreb, Croatia) (represented by: H.-J. Omsels, lawyer)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 25 October 2006 (Case R 146/2006-4) relating to opposition proceedings between Galderma SA and Mr Tihomir Lelas

**Operative part of the judgment**

The Court:

1. dismisses the action;
2. orders Galderma SA to pay the costs.

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(<sup>1</sup>) OJ C 56, 10.3.2007.

**Judgment of the Court of First Instance of 12 November 2008 — Spain v Commission**

(Case T-60/07) (<sup>1</sup>)

*(EAGGF — Guarantee Section — Expenditure excluded from Community financing — Fruit and vegetable sector — Environmental protection — Administrative procedure)*

(2009/C 6/50)

Language of the case: Spanish

**Parties**

*Applicant:* Kingdom of Spain (represented by: M. Muñoz Pérez, lawyer)

*Defendant:* Commission of the European Communities (represented by: F. Jimeno Fernández, Agent)

**Re:**

Application for partial annulment of Commission Decision 2006/932/EC of 14 December 2006 excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural and Guarantee Fund (EAGGF) (OJ 2006 L 355, p. 96), in so far as it excludes certain expenditure incurred by the Kingdom of Spain in the fruit and vegetable sector

**Operative part of the judgment**

The Court:

1. Dismisses the application;
2. orders the Kingdom of Spain to pay the costs.

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(<sup>1</sup>) OJ C 95, 28.4.2007.

**Judgment of the Court of First Instance (Eighth Chamber) of 12 November 2008 — Cantieri Navali Termoli v Commission**

(Case T-70/07) (<sup>1</sup>)

*(State Aid — Shipbuilding — Operating aid linked to contracts for ships — Application for extension of ship delivery limit under Article 3 of Regulation (EC) No 1540/98 — Causal link between the exceptional event and the delay)*

(2009/C 6/51)

Language of the case: Italian

**Parties**

*Applicant:* Cantieri Navali Termoli SpA (Termoli, Italy) (represented by: B. Mammarella, lawyer)

*Defendant:* Commission of the European Communities (represented by: G. Conte and C. Urraca Cavedes, Agents)

**Re:**

Action for annulment of the Commission's decision 2006/948/EC of 4 July 2006 on State aid which Italy plans to implement for Cantieri Navali Termoli SpA (OJ 2006 L 383, p. 53)

**Operative part of the judgment**

The Court:

1. dismisses the action;
2. orders Cantieri Navali Termoli SpA to pay the costs.

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(<sup>1</sup>) OJ C 95, 28.4.2007.