

**Judgment of the Court of First Instance of 18 December 2008 — Lofaro v Commission**

(Case T-293/07 P) <sup>(1)</sup>

*(Appeal — Staff cases — Temporary staff — Time-limit for complaint — Date of bringing of complaint — Receipt by the Administration — Principle of legal certainty)*

(2009/C 44/79)

Language of the case: French

**Parties**

*Appellant:* Alessandro Lofaro (Brussels, Belgium) (represented by: J.-L. Laffineur, lawyer)

*Respondent:* Commission of the European Communities (represented by: J. Currall and K. Hermann, Agents)

**Re:**

Appeal against the order of 24 May 2007 of the European Union Civil Service Tribunal (Third Chamber) in Joined Cases F-27/06 and F-75/06 *Lofaro v Commission* (not yet published in the ECR) seeking the setting aside of that order

**Operative part of the judgment**

The Court:

1. Dismisses the appeal;
2. Orders Mr Alessandro Lofaro to bear his own costs and pay the Commission's costs before the Court of First Instance.

<sup>(1)</sup> OJ C 223, 22.9.2007.

**Order of the Court of First Instance of 3 December 2008 — RSA Security Ireland v Commission**

(Case T-227/06) <sup>(1)</sup>

*(Action for annulment — Common Customs Tariff — Classification in the Combined Nomenclature — Person not individually concerned — Inadmissibility)*

(2009/C 44/80)

Language of the case: English

**Parties**

*Applicant:* RSA Security Ireland Ltd (Shannon, Ireland) (represented by: B. Conway, Barrister, and S. Daly, Solicitor)

*Defendant:* Commission of the European Communities (represented by: X. Lewis and J. Hottiaux, Agents)

**Re:**

Application for the annulment of Commission Regulation (EC) No 888/2006 of 16 June 2006 concerning the classification of certain goods in the Combined Nomenclature (OJ 2006 L 165, p. 6).

**Operative part of the order**

1. The action is dismissed as inadmissible.
2. RSA Security Ireland Ltd shall pay the costs.

<sup>(1)</sup> OJ C 249, 14.10.2006.

**Order of the Court of First Instance of 2 December 2008 — Longevity Health Products v OHIM — Hennig Arzneimittel (Cellutrim)**

(Case T-169/07) <sup>(1)</sup>

*(Community trade mark — Invalidity proceedings — Community word mark Cellutrim — Earlier national word mark Cellidrin — Likelihood of confusion — Article 8(1)(b) of Regulation (EC) No 40/94 — Action in part manifestly inadmissible and in part manifestly lacking any foundation in law)*

(2009/C 44/81)

Language of the case: German

**Parties**

*Applicant:* Longevity Health Products, Inc. (Nassau, Bahamas) (represented by: J. Korab, lawyer)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: G. Schneider, acting as Agent)

*Other party to the proceedings before the Board of Appeal of OHIM intervening before the Court of First Instance:* Hennig Arzneimittel GmbH & Co. KG (Flörsheim, Germany) (represented by: S. Ziegler, C. Kleiner and F. Dehn, lawyers)

**Re:**

Action brought against the decision of the First Board of Appeal of OHIM of 7 March 2007 (Case R 1123/2006-1) concerning invalidity proceedings between, initially, Celtech Pharma GmbH & Co. KG and, subsequently, Hennig Arzneimittel GmbH & Co. KG and Longevity Health Products, Inc.