

**Order of the Court of First Instance of 1 April 2009 —
Perry v Commission**

(Case T-280/08) ⁽¹⁾

(Action for damages — Limitation period — Admissibility)

(2009/C 141/87)

Language of the case: French

Parties

Applicant: Claude Perry (Paris, France) (represented by: J. Culioli, lawyer)

Defendant: Commission of the European Communities (represented by: J.-P. Keppenne and P. van Nuffel, Agents)

Re:

Application for damages seeking compensation for the damage allegedly suffered by the applicant as a result of allegations of misuse of Community subsidies in the performance of certain contracts concluded by the Commission with the applicant's companies.

Operative part of the order

1. *The action is dismissed as inadmissible.*
2. *Mr Claude Perry is ordered to pay the costs.*

⁽¹⁾ OJ C 260, 11.10.2008.

**Order of the Court of First Instance of 31 March 2009 —
Spain v Commission**

(Case T-359/08) ⁽¹⁾

(Action for annulment — Withdrawal of the contested measure — No need to give a decision)

(2009/C 141/88)

Language of the case: Spanish

Parties

Applicant: Kingdom of Spain (represented by: J. Rodríguez Cárcomo, Agent)

Defendant: Commission of the European Communities (represented by: A. Steiblyté and S. Pardo Quintillán, Agents)

Re:

Annulment of Commission Decision C(2008) 3243 of 25 June 2008 reducing the financial assistance granted from the Cohesion Fund for the group of projects No 2001.ES.16.C.P.E.045 (Waste Management in Galicia — 2001 (Group II)) by Decision C(2001) 4193 of 20 December 2001

Operative part of the order

1. *There is no need to give a decision in the present action.*

2. *The Commission shall bear its own costs and pay those incurred by the Kingdom of Spain.*

⁽¹⁾ OJ C 272, 25.10.2008.

**Order of the Court of First Instance of 31 March 2009 —
Spain v Commission**

(Case T-360/08) ⁽¹⁾

(Action for annulment — Withdrawal of the contested measure — No need to give a decision)

(2009/C 141/89)

Language of the case: Spanish

Parties

Applicant: Kingdom of Spain (represented by: J. Rodríguez Cárcomo, Agent)

Defendant: Commission of the European Communities (represented by: A. Steiblyté and S. Pardo Quintillán, Agents)

Re:

Annulment of Commission Decision C(2008) 3247 of 25 June 2008, reducing the financial assistance granted from the Cohesion Fund for project group No. 2001.ES.16.C.P.E.036 ('Cleaning of the Hydrographic Basic of North-Galicia-2001') by Decision C(2001) 4084 of 20 December 2001.

Operative part of the order

1. *There is no need to give a decision in the present action.*
2. *The Commission shall bear its own costs and pay those incurred by the Kingdom of Spain.*

⁽¹⁾ OJ C 272, 25.10.2008.

**Order of the Court of First Instance of 2 April 2009 —
Cachuera v OHIM — Gelkaps (Ayanda)**

(Case T-43/09) ⁽¹⁾

(Application initiating proceedings — Formal requirements — Inadmissibility)

(2009/C 141/90)

Language of the case: Spanish

Parties

Applicant: La Cachuera, SA (Misiones, Argentina) (represented by: E. Armijo Chávarri, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs)