

3. Third plea in law, alleging violation of the principle of legal certainty, as Regulation 1239/2011 and its implementing regulations created a system whereby custom duties are not predictable and fixed through the application of consistent, objective criteria, but are rather determined by subjective willingness to pay with no actual link with the actual products being imported.
4. Fourth plea in law, alleging violation of the principle of proportionality in so far as the defendant could easily have adopted less restrictive measures which would not have been taken exclusively to the detriment of importing refiners.
5. Fifth plea in law, alleging violation of legitimate expectations, as the defendant breached the applicants' legitimate expectations to be treated in a balanced, fair and non-discriminatory manner.
6. Sixth plea in law, alleging violation of the principle of diligence, care and good administration, as the defendant failed in the first instance to act at all, despite repeated warnings of market disturbances, then went on to adopt manifestly inappropriate measures to tackle those disturbances, and in doing so upset the balance established by the Council between domestic producers and importing refiners.

For the annulment of Regulation 57/2012 the applicants invoke only first, fourth and sixth pleas in law.

In the alternative, the applicants invoke the above-mentioned pleas in law against Regulation 1239/2011 and Regulation 1308/2011, as a plea of illegality based on Article 277 TFEU. In the event that the Court rejects these grounds for annulment, the applicants raise a plea of illegality under Article 277 TFEU against Article 186a and 187 of Regulation 1234/2007 on which the contested regulations are based, and request the annulment of those provisions of Regulation 1234/2007 as well as the contested regulations.

⁽¹⁾ Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (OJ 2007 L 299, p. 1).

Order of the General Court (Fifth Chamber) of 30 March 2012 — Atlantean v Commission

(Case T-125/08) ⁽¹⁾

(2012/C 151/56)

Language of the case: English

The President of the Fifth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 116, 9.5.2008.

Order of the General Court (Fifth Chamber) of 27 March 2012 — Atlantean v Commission

(Case T-368/08) ⁽¹⁾

(2012/C 151/57)

Language of the case: English

The President of the Fifth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 301, 22.11.2008.

Order of the General Court (Third Chamber) of 26 March 2012 — PhysioNova v OHIM — Flex Equipos de Descanso (FLEX)

(Case T-501/09) ⁽¹⁾

(2012/C 151/58)

Language of the case: German

The President of the Third Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 37, 13.2.2010.

Order of the General Court (Sixth Chamber) of 28 March 2012 — X Technology Swiss v OHIM — Brawn (X-Undergear)

(Case T-581/10) ⁽¹⁾

(2012/C 151/59)

Language of the case: German

The President of the Sixth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 63, 26.2.2011.