

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 22 February 2006 (Case R 449/2005-1), relating to opposition proceedings between Markant Handels und Service GmbH and Castellani SpA.

Operative part of the judgment

The Court:

1. Annuls the decision of the First Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) of 22 February 2006 (Case R 449/2005 1);
2. Orders OHIM to pay the costs.

(¹) OJ C 178, 29.7.2006.

**Order of the Court of First Instance of 22 November 2007
— Investire Partecipazioni v Commission**

(Case T-418/05) (¹)

(Action for annulment — ERDF — Measure that cannot be the subject of an action — Preparatory measure — Inadmissibility)

(2008/C 8/28)

Language of the case: Italian

Parties

Applicant: Investire Partecipazioni SpA (Rome, Italy) (represented by: G.M. Roberti and A. Franchi, Lawyers)

Defendant: Commission of the European Communities (represented by: L. Flynn and M. Velardo, Agents, assisted by G. Faedo, Lawyer)

Re:

Application for annulment of decisions allegedly contained in two letters from the Commission's Directorate General for Regional Policy of 11 and 23 August 2005, addressed to the Permanent Representation of the Italian Republic to the European Union, concerning the ineligibility, for assistance from the European Regional Development Fund, of a measure provided for in the Objective 2 Single Programming Document for the period 1997-1999 concerning the Region of Piedmont (Italy).

Operative part of the order

1. The action is dismissed as inadmissible.
2. Investire Partecipazioni SpA shall pay the costs.

(¹) OJ C 22, 28.1.2006.

**Order of the Court of First Instance of 22 November 2007
— Investire Partecipazioni v Commission**

(Case T-102/06) (¹)

(Action for annulment — ERDF — Reduction of financial assistance — Lack of direct concern — Inadmissibility)

(2008/C 8/29)

Language of the case: Italian

Parties

Applicant: Investire Partecipazioni SpA (Rome, Italy) (represented by: G.M. Roberti and A. Franchi, Lawyers)

Defendant: Commission of the European Communities (represented by: M. Velardo and L. Flynn, Agents, assisted by G. Faedo, Lawyer)

Re:

Application for annulment of Commission Decision C(2005) 4683 of 25 November 2005, concerning a reduction of the assistance granted by the European Regional Development Fund (ERDF) pursuant to Decision C(97) 2199, of 27 July 1997, approving assistance from the ERDF for measures provided for in the Objective 2 Single Programming Document for the period 1997-1999 concerning the region of Piedmont (Italy).

Operative part of the order

1. The action is dismissed as inadmissible.
2. Investire Partecipazioni is ordered to pay the costs.

(¹) OJ C 121, 20.5.2006.