Actions for annulment — Actionable measures — Meaning — Measures producing binding legal effects — Preparatory measure (Art. 230 EC; Council Regulation No 4253/88, Art. 24) (see paras 32, 33, 35, 36)

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

The Court:

1. Dismisses the application as inadmissible;

2. Orders Investire Partecipazioni SpA to pay the costs.

Order of the Court of First Instance (Fifth Chamber) of 22 November 2007 — Investire Partecipazioni v Commission

(Case T-102/06)

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

Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC) (see paras 44, 47-49, 52-54)

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

The Court:

1. Dismisses the application as inadmissible;

2. Orders Investire Partecipazioni SpA to pay the costs.

Judgment of the Court of First Instance (Fifth Chamber) of 27 November 2007 — Gateway v OHIM — Fujitsu Siemens Computers (ACTIVY Media Gateway)

(Case T-434/05)

Community trade mark — Opposition proceedings — Application for the Community word mark ACTIVY Media Gateway — Earlier Community and national word and figurative marks Gateway and GATEWAY — Relative grounds for refusal — No likelihood of confusion — Absence of similarity between the signs — Article 8(1)(b) of Regulation (EC) No 40/94 — Article 8(5) of Regulation No 40/94