

3. Orders the applicants at first instance and the Commission to bear their own costs.

(¹) OJ C 283, 24.11.2007.

Order of the Court of First Instance of 13 February 2009
— **Vitro Corporativo v OHIM — Vallon** (¹)

(Case T-229/07) (¹)

(Community trade mark — Opposition — Withdrawal of the opposition — No need to adjudicate)

(2009/C 82/42)

Language of the case: Spanish

Parties

Applicant: Vitro Corporativo, SA de C.V. (Nuevo Leon, Mexico) (represented by: J. Botella Reyna, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: P. López Fernández de Corres, acting as Agent)

Other party to the proceedings before the Board of Appeal of OHIM intervening before the Court of First Instance: Vallon GmbH (Horb, Germany)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 7 November 2006 (Case R 1363/2005-1) concerning opposition proceedings between Vitro Corporativo, SA de C.V. and Vallon GmbH.

Operative part of the order

1. There is no longer any need to adjudicate in the action.
2. The applicant is ordered to pay the costs.

(¹) OJ C 199, 25.8.2007.

Order of the Court of First Instance of 10 February 2009
— **Okalux v OHIM — Ondex (ONDACELL)**

(Case T-126/08) (¹)

(Community trade mark — Opposition proceedings — Failure to pay the opposition fee — Decision deeming the opposition non-existent — Action manifestly devoid of any legal basis)

(2009/C 82/43)

Language of the case: German

Parties

Applicant: Okalux GmbH (Marktheidenfeld, Germany) (represented by: M. Beckensträter, 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: Ondex SAS (Chevigny-Saint-Sauveur, France)

Re:

Action brought against the decision of the Fourth Board of Appeal of OHIM of 22 January 2008 (Case R 1384/2007-4) regarding opposition proceedings between Okalux GmbH and Ondex SAS.

Operative part of the order

1. The action is dismissed.
2. Okalux GmbH is ordered to pay the costs.

(¹) OJ C 116, 9.5.2008.