

ORDER OF THE COURT OF FIRST INSTANCE**of 15 June 2004****in Case T-21/03: S v Commission of the European Communities** ⁽¹⁾**(Officials — Action for annulment — Occupational illness — Recognition of illness as occupational in origin — Request for removal of certain documents from the file held by the medical committee — Refusal — Act adversely affecting an official — Manifest inadmissibility)**

(2004/C 251/28)

(Language of the case: French)

In Case T-21/03: S, a former official of the Commission of the European Communities, residing in Thessaloniki (Greece), represented by A. Coolen, J.-N. Louis and E. Marchal, lawyers, v Commission of the European Communities (Agents: J. Currall and F. Clotuche-Duvieusart, with an address for service in Luxembourg) — action for annulment of the Commission's decision of 11 March 2002 refusing to remove certain documents from the file held by the medical committee called upon to consider the applicant's request to have the illness from which she is suffering recognised as occupational in origin — the Court of First Instance (Fifth Chamber), composed of P. Lindh, President, J. D. Cooke and D. Šváby, Judges; H. Jung, Registrar, made an order on 15 June 2004, the operative part of which is as follows:

- (1) *The action is dismissed as manifestly inadmissible.*
- (2) *Each of the parties is ordered to bear its own costs.*

⁽¹⁾ OJ No C 83 of 5.4.2003.

ORDER OF THE COURT OF FIRST INSTANCE**of 5 July 2004****in Case T-39/03 DaimlerChrysler AG v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)** ⁽¹⁾**(Community trade mark — Opposition — Withdrawal of opposition — No need to adjudicate)**

(2004/C 251/29)

(Language of the case: German)

In Case T-39/03: DaimlerChrysler AG, established in Stuttgart (Germany), represented by N. Siebertz, lawyer, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Agent: G. Schneider), the intervener before the Court of First Instance being Axon Leasing GmbH, estab-

lished in Munich (Germany), represented by S. Lüft, lawyer — action brought against the decision of the Fourth Board of Appeal of OHIM of 4 November 2002 (Case R 329/2001-4) — the Court of First Instance (Second Chamber), composed of: J. Pirrung, President, N. J. Forwood and I. Pelikánová, Judges; H. Jung, Registrar, made an order on 5 July 2004, the operative part of which is as follows:

1. *There is no need to adjudicate on the action;*
2. *The applicant shall pay the costs.*

⁽¹⁾ OJ C 101 of 26.4.2003.

ORDER OF THE COURT OF FIRST INSTANCE**of 2 July 2004****in Case T-256/03: Bundesverband der Nahrungsmittel- und Speiseresteverwertung eV and Josef Kloh v Commission of the European Communities** ⁽¹⁾**(Action for annulment — Regulation (EC) No 1774/2002 — Decision 2003/328/EC — Use of catering waste in feed for pigs — Inadmissible)**

(2004/C 251/30)

(Language of the case: German)

In Case T-256/03: Bundesverband der Nahrungsmittel- und Speiseresteverwertung eV, established in Bochum (Germany), Josef Kloh, residing in Eichenried (Germany), represented by R. Steiling and S. von Zimmermann-Wienhues, lawyers, v Commission of the European Communities (Agent: G. Braun), with an address for service in Luxembourg — action for the partial annulment of Decision 2003/328/EC of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the use of category 3 catering waste in feed for pigs and the intra-species recycling ban on the feeding of swill to pigs (OJ 2003 L 117, p. 46) — the Court of First Instance (Second Chamber), composed of J. Pirrung, President, A. W. H. Meij and N. J. Forwood, Judges; H. Jung, Registrar, made an order on 2 July 2004, the operative part of which is as follows:

- (1) *The action is dismissed as inadmissible.*
- (2) *The applicants are ordered to bear their own costs and those incurred by the Commission.*

⁽¹⁾ OJ No C 213 of 6.9.2003.