

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 14 October 2004****in Case T-389/02, Sergio Sandini v Court of Justice of the European Communities ⁽¹⁾****(Officials — Action for damages — Admissibility — Exposure to asbestos — Occupational disease — Damage)**

(2004/C 314/45)

(Language of the case: French)

In Case T-389/02, Sergio Sandini, an official of the Court of Justice of the European Communities, residing in Ehrlange (Luxembourg), represented by J. Iturriagoitia Bassas and K. Delvolvé, lawyers, against Court of Justice of the European Communities (Agent: M. Schauss, with an address for service in Luxembourg) — application for damages for the physical harm and the non-material, professional and financial loss allegedly suffered by the applicant — the Court of First Instance (Fourth Chamber), composed of: H. Legal, President, V. Tiili and M. Vilaras, Judges; J. Palacio González, Principal Administrator, for the Registrar, has given a judgment on 14 October 2004, in which it:

- 1) Dismisses the action;
- 2) Orders the parties to bear their own costs.

⁽¹⁾ OJ C 44 of 22.2.2003.

JUDGMENT OF THE COURT OF FIRST INSTANCE**of 14 October 2004****in Case T-390/02, Antonio Cagnato v Court of Justice of the European Communities ⁽¹⁾****(Officials — Action for damages — Admissibility — Exposure to asbestos — Occupational disease — Damage)**

(2004/C 314/46)

(Language of the case: French)

In Case T-390/02, Antonio Cagnato, an official of the Court of Justice of the European Communities, residing in Dippach-Gare (Luxembourg), represented by J. Iturriagoitia Bassas and K.

Delvolvé, lawyers, against Court of Justice of the European Communities (Agent: M. Schauss, with an address for service in Luxembourg) — application for damages for the physical harm and the non-material, professional and financial loss allegedly suffered by the applicant — the Court of First Instance (Fourth Chamber), composed of: H. Legal, President, V. Tiili and M. Vilaras, Judges; J. Palacio González, Principal Administrator, for the Registrar, has given a judgment on 14 October 2004, in which it:

- 1) Dismisses the action;
- 2) Orders the parties to bear their own costs.

⁽¹⁾ OJ C 44 of 22.2.2003.

JUDGMENT OF THE COURT OF FIRST INSTANCE**12 October 2004****in Case T-35/03 Aventis Cropscience S.A. v Office for Harmonisation of the Internal Market (Trade Marks and Designs) (OHIM) ⁽¹⁾****(Community trade mark — Opposition procedure — Application for registration of Community word mark CARPO — Earlier national word mark HARPO Z — Likelihood of confusion — Article 8(1)(b) of Regulation No 40/94)**

(2004/C 314/47)

(Language of the case: Spanish)

In Case T-35/03 Aventis Cropscience S.A., established in Lyon (France), represented by Enrique Armijo Chávarri, lawyer, v Office for Harmonisation of the Internal Market (Trade Marks and Designs) (OHIM) (Agents: I. de Medrano Caballero and G. Schneider), the other party to the proceedings being BASF Aktiengesellschaft, established in Ludwigshafen am Rhein (Germany), for the annulment of Decision R 803/2001-2 of the Second Board of Appeal of OHIM of 18 November 2002 concerning the opposition by the proprietor of the earlier national word mark HARPO Z to registration of the trade mark CARPO, the Court of First Instance (Second Chamber), composed of J. Pirrung, President, N.J. Forwood and I. Pelikánová, Judges; Registrar: I. Natsinas, administrator, gave a judgment on 12 October 2004, in which it: