

Neu-Isenburg (Germany), (represented initially by G. Vandersanden, L. Levi and D. Dugois, lawyers, and subsequently by G. Vandersanden and L. Levi) — APPLICATION for annulment of Commission Decision 2002/165/EC of 3 July 2001 relating to a proceeding pursuant to Article 82 EC (Case COMP D3/38.044 — NDC Health/IMS Health: Interim measures) (OJ 2002 L 59, p. 18), — the Court of First Instance (Fifth Chamber), composed of M. Vilaras, President, F. Dehousse and D. Šváby, Judges; H. Jung, Registrar, made an order on 10 March 2005, the operative part of which is as follows:

1. *There is no need to give a decision in the present action.*
2. *Each party shall bear its own costs, including the costs incurred in connection with the application for interim measures.*

(¹) OJ C 303 of 27.10.2001.

ORDER OF THE COURT OF FIRST INSTANCE

of 28 February 2005

in Case T-108/03 Elisabeth von Pezold v Commission of the European Communities (¹)

(EAGGF — Forestry — Decision approving a rural development programming document — Action for annulment — Natural and legal persons — Measures of individual concern to them — Lack of competence — Inadmissibility)

(2005/C 155/41)

(Language of the case: German)

In Case T-108/03: Elisabeth von Pezold, resident in Pöls (Austria), represented by R. von Pezold, lawyer, against the Commission of the European Communities (Agent: G. Braun, with an address for service in Luxembourg) — action for partial annulment of the Commission's decision of 14 July 2000 approving the rural development programming document for the Republic of Austria for the period 2000-2006 — the Court of First Instance (Third Chamber), composed of M. Jaeger, President, V. Tiili and O. Czúcz, Judges; H. Jung, Registrar, has made an order on 28 February 2005, the operative part of which is as follows:

1. *The action is dismissed.*

2. *The applicant shall pay the costs.*

(¹) OJ C 171 of 19.7.2003.

ORDER OF THE COURT OF FIRST INSTANCE

of 2 March 2005

in Case T-305/03 Opus Dent GmbH v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (¹)

(Community trade mark — Opposition — Opposition withdrawn — No need to give judgment)

(2005/C 155/42)

(Language of the case: German)

In Case T-305/03: Opus Dent GmbH, established in Freising (Germany), represented by P.J.A. Munzinger and S. Abel, lawyers, against Office for Harmonisation in the Internal Market (Trade Marks and Designs) (Agent: B. Müller), the intervener before the Court being Dornier MedTech Systems GmbH (formerly: Dornier Medizintechnik GmbH), established at Weßling (Germany), represented by J. Kroher and A. Hettenkofer, lawyers — action brought against the decision of the Second Board of Appeal of OHIM of 23 June 2003 (Case R 579/2002-2), relating to opposition proceedings between Opus Dent GmbH and Dornier MedTech Systems GmbH — the Court of First Instance (Fourth Chamber), composed of H. Legal, President, P. Lindh and V. Vadapalas, Judges; H. Jung, Registrar, made an order on 2 March 2005, the operative part of which is as follows:

1. *There is no need to give judgment on the action.*
2. *The applicant and the intervener shall bear their own costs and shall each pay half of those incurred by the defendant.*

(¹) OJ C 275, 15.11.2003.