

Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 4 February 2003 (Case R 106/2001-2), relating to opposition proceedings between Inex SA and Robert Wiseman & Sons Ltd.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the applicant to pay the costs.

(¹) OJ C 171, 19.7.2003.

Judgment of the Court of First Instance of 8 June 2006 — Pérez-Díaz v Commission

(Case T-156/03) (¹)

(Officials — Annulment of the refusal to enter a candidate on the reserve list of temporary staff — Candidate's submission to a new oral test held in order to comply with the judgment annulling the refusal — Second refusal of entry — Action for annulment — Action for damages)

(2006/C 190/30)

Language of the case: French

Parties

Applicant: Orlando Pérez-Díaz (Brussels, Belgium) (represented by: M.-A. Lucas, lawyer)

Defendant: Commission of the European Communities (represented by: F. Clotuche-Duvieusart and H. Tserepa-Lacombe, agents)

Re:

First, an action for annulment of the refusal by the committee responsible for selection procedure COM/R/A/01/1999 to enter the applicant's name on the reserve list of temporary staff following a new oral test held in order to comply with the judgment of the Court of First Instance of 24 September 2002 in Case T-102/01 *Pérez-Díaz v Commission* (ECR-SC I-A-165 and II-871), and, second, a claim for compensation for the damage supposedly caused by the unlawfulness of that refusal.

Operative part of the judgment

The Court:

1. Annuls the decision of the selection committee, contained in the letter of 21 January 2003 notified to the applicant, not to enter his name on the reserve list resulting from selection procedure COM/R/01/1999;
2. Dismisses the remainder of the application;
3. Orders the Commission to pay the costs.

(¹) OJ C 171, 19.7.2003.

Judgment of the Court of First Instance of 13 June 2006 — Atlantean Ltd v Commission

(Case T-192/03) (¹)

(Fishing — Multiannual guidance programmes — Request to increase the objectives on safety grounds — Decision 97/413/EC — Refusal of the Commission — Action for annulment — Admissibility — Competence of the Commission)

(2006/C 190/31)

Language of the case: English

Parties

Applicant: Atlantean Ltd (Killybegs, (Ireland)) (represented by: initially G. Hogan SC, E. Regan SC and A. Hussey, Solicitor, then G. Hogan SC, E. Regan SC and M. Fraser, Solicitor)

Defendant: Commission of the European Communities (represented by: G. Braun and B. Doherty, Agents)

Intervener in support of the applicant: Ireland [represented by: D. O'Hagan and C. O'Toole, Agents, and by D. Conlan Smyth, Barrister]

Re:

Annulment of Commission Decision 2003/245/EC of 4 April 2003 on the requests received by the Commission to increase MAGP IV objectives to take into account improvements on safety, navigation at sea, hygiene, product quality and working conditions for vessels of more than 12 m in length overall (OJ 2003 L 90, p. 48), in so far as that decision rejects the request to increase the capacity of the vessel *Atlantean*