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(Information)

## COURT OF JUSTICE

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**Order of the Court (Fourth Chamber) of 27 April 2006 — L'Oréal SA v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM), Revlon (Switzerland) SA**

(Case C-235/05 P) <sup>(1)</sup>

*(Appeal — Community trade mark — Regulation (EC) No 40/94 — Article 8(1)(b) — Similarity between two trade marks — Likelihood of confusion — Application for Community trade mark FLEXI AIR — Earlier word mark FLEX — Refusal to register)*

(2006/C 249/01)

*Language of the case: English*

**Parties**

*Applicant:* L'Oréal SA (represented by: X. Buffet Delmas d'Autane, avocat)

*Other parties to the proceedings:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (represented by: G. Schneider, Agent), Revlon (Switzerland) SA

**Re:**

Appeal against the judgment of the Court of First Instance (Second Chamber) of 16 March 2005 in Case T-112/03 *L'Oréal SA v OHIM*, dismissing as unfounded an application brought by the applicant for the Community word mark FLEXI AIR for goods in Class 3 for the annulment of decision R 0396/2001-4 of the Fourth Board of Appeal of the Office for Harmonisation in the Internal Market of 15 January 2003, dismissing the appeal against the decision of the Opposition Division refusing registration of that mark in opposition proceedings brought by the proprietor of the national word marks FLEX for goods in Classes 3 and 34

**Operative part of the order**

1. *The appeal is dismissed;*
2. *L'Oréal SA is ordered to pay the costs.*

<sup>(1)</sup> OJ C 205, 20.8.2005.

**Order of the Court (Fifth Chamber) of 7 February 2006 — Giorgio Lebedef v Commission of the European Communities**

(Case C-268/05 P) <sup>(1)</sup>

*(Appeal — Officials — Rules on the levels, body, and procedures of consultation agreed between the majority of trade unions and staff associations and the Commission — Exclusion of the union 'Action et Défense' — Manifest inadmissibility)*

(2006/C 249/02)

*Language of the case: French*

**Parties**

*Applicant:* Giorgio Lebedef (represented by: G. Bounéou and F. Frabetti, lawyers)

*Other party to the proceedings:* Commission of the European Communities (represented by: J. Currall and V. Joris, acting as Agents)

**Re:**

Appeal against the judgment delivered on 12 April 2005 by the Court of First Instance (First Chamber) in Case T-191/02 *Lebedef v Commission*, dismissing the action for annulment of the Commission's decision to repudiate the Agreement of 20 September 1974 on Relations between the Commission and the Trade Unions and Staff Associations, and to adopt again the Operational Rules on the consultation levels, the consultation body and related procedures agreed between the Commission and the majority of trade unions and staff associations on 19 January 2000, which had been annulled by the Court of First Instance in its judgment of 15 November 2001, in so far as they excluded the union 'Action et Défense' from the consultation body.

**Operative part of the order**

1. *The appeal is dismissed.*
2. *Mr Lebedef is ordered to pay the costs.*

<sup>(1)</sup> OJ C 243, 01.10.2006.