

Re:

Annulment of the Commission's decisions not to select the tender submitted by the applicant in the context of a call for tenders for the provision of technical assistance for the improvement of the system of Information and Communication Technologies (ICT) of the Turkish National Institute for Statistics and of the decisions rejecting the applicant's request to renew the decision not to short-list it.

Operative part of the order

1. *The action is dismissed as inadmissible.*
2. *The applicant shall pay the costs.*

(¹) OJ C 115, 14.5.2005.

**Order of the Court of First Instance of 12 October 2006 —
Fermont v Commission**

(Case T-307/05) (¹)

(Preliminary issues — Objection of inadmissibility — Application initiating proceedings — Formal requirements — Inadmissibility)

(2006/C 326/125)

Language of the case: French

Parties

Applicant: Alain Fermont (Kraainem, Belgium) (represented by: L. Kakiese and N. Luzeyemo, lawyers)

Defendant: Commission of the European Communities (represented by: J. Currall and F. Dintilhac, Agents)

Re:

Action for damages seeking compensation for damage allegedly suffered by the applicant.

Operative part of the order

1. *The action is dismissed as inadmissible.*

2. *The applicant shall bear his own costs and pay those incurred by the Commission.*

(¹) OJ C 121, 20.5.2006.

**Order of the Court of First Instance of 17 October 2006 —
Harry's Morato v OHIM — Ferrero Deutschland
(MORATO)**

(Case T-52/06) (¹)

(Community trade mark — Opposition proceedings — Cancellation of the earlier trade mark — No need to adjudicate)

(2006/C 326/126)

Language of the case: Italian

Parties

Applicant: Harry's Morato SpA (Altavilla Vicentina, Italy) (represented by: N. Ferretti, G. Casucci and F. Trevisan, lawyers)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: C. Negro and O. Montaldo, Agents)

Other party/parties to the proceedings before the Board of Appeal of OHIM, intervener before the Court of First Instance: Ferrero Deutschland GmbH (Frankfurt/Main, Germany) (represented by: M. Kefferpütz, lawyer)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 16 December 2005 (Case R 600/2005-1), concerning opposition proceedings Harry's Morato SpA and Ferrero Deutschland GmbH.

Operative part of the order

1. *There is no longer any need to adjudicate on this case.*
2. *Each party shall bear its own costs.*

(¹) OJ C 96, 22.4.2006.