Re:

Action brought against the decision of the Second Board of Appeal of OHIM of 11 July 2005 (Case R 514/2004-2) relating to opposition proceedings between Budějovický Budvar, národní podnik, and Anheuser Busch, Inc.

Operative part of the order

1. *The action is dismissed;*

2. *Anheuser Busch, Inc., shall pay its own costs and those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) and by Budějovický Budvar, národní podnik.*

([1]) OJ C 330, 24.12.2005.

Order of the Court of First Instance of 11 December 2006 — MMT v Commission

(Case T-392/05) ([1])

(Action for annulment — Time-limit for bringing proceedings — Objection of inadmissibility)

(2006/C 331/95)

Language of the case: German

Parties

Applicant: MMT Mecklenburg-Strelitzer Montage- und Tiefbau GmbH (Neustrelitz, Germany) (represented by: R.-J. Kurschus, M. Zimmermann, M. Grehsin and C. Kupke, lawyers)

Defendant: Commission of the European Communities (represented by: K. Gross and T. Scharf, Agents)

Re:

Application for annulment of Commission Decision 2003/595/EC of 5 March 2003 on the aid scheme implemented by the Federal Republic of Germany in connection with the sale and export of products from the Land of Mecklenburg-Western Pomerania (OJ 2003 L 202 p. 15) to the extent that the decision classifies as unlawful State aid for the purposes of Article 87(1) EC the financial assistance envisaged by the guidelines of the Land of Mecklenburg-Western Pomerania for shared offices on the territory of countries which are official candidates for accession to the European Union.

Operative part of the order

1. *The application is dismissed as inadmissible;*

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

([1]) OJ C 22, 28.1.2006.

Order of the Court of First Instance of 14 December 2006 — K-Swiss v OHIM (Parallel stripes on a shoe)

(Case T-14/06) ([1])

(Community Trade Mark — Procedural issues — Plea of inadmissibility — Notification of the decision of the Board of Appeal — Time-limit for bringing an action)

(2006/C 331/96)

Language of the case: English

Parties

Applicant: K-Swiss, Inc. (West Lake Village, California, United States) (represented by: H. Hübner, lawyer)

Defendant: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: Ó. Mondéjar, Agent)

Re:

Action brought against the decision of the First Board of Appeal of OHIM of 26 September 2005 (Case R 1109/2004-1), concerning registration of a mark in the form of five parallel stripes placed on the lateral part of a representation of a shoe as a Community trade mark.

Operative part of the judgment

The Court:

1. *Dismisses the action as inadmissible.*

2. *Orders the applicant to pay the costs.*

([1]) OJ C 86, 8.4.2006.