

Re:

Failure of a Member State to fulfil obligations — Failure to adopt within the prescribed period all measures necessary to comply with Directives 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE) (OJ 2003 L 137, p. 24) and 2003/108/EC of the European Parliament and of the Council of 8 December 2003 amending Directive 2002/96/EC (OJ 2003 L 345, p. 106)

Operative part of the judgment

The Court:

1. Declares that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with:
 - Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE), and
 - Directive 2003/108/EC of the European Parliament and of the Council of 8 December 2003 amending Directive 2002/96,
 the United Kingdom of Great Britain and Northern Ireland has failed to fulfil its obligations under those Directives;
2. Orders the United Kingdom of Great Britain and Northern Ireland to pay the costs.

⁽¹⁾ OJ C 108 of 6.5.2006.

Judgment of the Court (Seventh Chamber) of 8 March 2007 — Commission of the European Communities v Italian Republic

(Case C-160/06) ⁽¹⁾

(Failure of a Member State to fulfil its obligations — Directive 2003/51/EC — Company law — Annual accounts of certain types of companies — Failure to transpose within the prescribed period)

(2007/C 95/21)

Language of the case: Italian

Parties

Applicant: Commission of the European Communities (represented by: E. Montaguti and G. Zavvos, acting as Agents)

Defendant: Italian Republic (represented by: I. Braguglia, Agent, P. Gentili, avvocato)

Re:

Failure of a Member State to fulfil its obligations — Failure to adopt, within the prescribed period, all the provisions necessary to comply with Directive 2003/51/EC of the European Parliament and of the Council of 18 June 2003 amending Directives 78/660/EEC, 83/349/EEC, 86/635/EEC and 91/674/EEC on the annual and consolidated accounts of certain types of companies, banks and other financial institutions and insurance undertakings (OJ 2003 L 178, p. 16)

Operative part of the judgment

The Court:

1. Declares that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2003/51/EC of the European Parliament and of the Council of 18 June 2003 amending Directives 78/660/EEC, 83/349/EEC, 86/635/EEC and 91/674/EEC on the annual and consolidated accounts of certain types of companies, banks and other financial institutions and insurance undertakings, the Italian Republic has failed to fulfil its obligations under that directive;
2. Orders the Italian Republic to pay the costs.

⁽¹⁾ OJ C 131, 3.6.2006.

Judgment of the Court (Seventh Chamber) of 15 March 2007 — T.I.M.E. ART Uluslararası Saat Ticareti ve diğer Ticaret AŞ v Office for Harmonisation in the Internal Market (Trade Marks and Designs), Devinlec Développement Innovation Leclerc SA

(Case C-171/06 P) ⁽¹⁾

(Appeal — Community trade mark — Regulation (EC) No 40/94 — Article 8(1)(b) — Figurative mark — Opposition by the proprietor of an earlier national trade mark — Likelihood of confusion)

(2007/C 95/22)

Language of the case: English

Parties

Appellant: T.I.M.E. ART Uluslararası Saat Ticareti ve diğer Ticaret AŞ (represented by: M. Francetti and F. Jacobacci, avvocati)

Other parties to the proceedings: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (represented by: A. Folliard Monguiral and J. Novais Gonçalves, Agents), Devinlec Développement Innovation Leclerc SA (represented by: J.-P. Simon, avocat)

Re:

Appeal against the judgment of the Court of First Instance (Fourth Chamber, Extended Composition) of 12 January 2005 in Case T-147/03 *Devinlec Développement Innovation Leclerc SA v Office for Harmonisation in the Internal Market (Trade Marks and Designs)*(OHIM) annulling, upon application by the proprietor of the national figurative mark QUANTIEME for goods in Classes 14 and 18, Decision R 109/2002-3 of the Third Board of Appeal of OHIM of 30 January 2003 which annulled the decision of the Opposition Division refusing registration of the figurative Community trade mark QUANTUM for goods in Class 14

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders T.I.M.E. ART Uluslararası Saat Ticareti ve dış Ticaret AŞ to pay the costs.

(¹) OJ C 121, 20.5.2006.

**Judgment of the Court (Sixth Chamber) of 18 January 2007
— Commission of the European Communities v Czech Republic**

(Case C-203/06) (¹)

(Failure of a Member State to fulfil obligations — Directive 93/16/EEC — Doctors — Mutual recognition of diplomas, certificates and other evidence of formal qualifications — Failure to transpose within the prescribed period)

(2007/C 95/23)

Language of the case: Czech

Parties

Applicant: Commission of the European Communities (represented by: K. Walkorová and H. Støvlbæk, Agents)

Defendant: Czech Republic (represented by: T. Boček, Agent)

Re:

Failure of a Member State to fulfil obligations — Failure to have transposed, within the prescribed period, Council Directive 93/16/EEC of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications (OJ 1993 L 165, p. 1)

Operative part of the judgment

The Court:

- 1) Declares that, by failing to adopt all the laws, regulations and administrative provisions necessary to comply with Council Directive 93/16/EEC of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications, the Czech Republic has failed to fulfil its obligations under Article 44 of that directive;
- 2) Orders the Czech Republic to pay the costs.

(¹) OJ C 143, 17.6.2006.

**Judgment of the Court (Eighth Chamber) of 1 March 2007
— Commission of the European Communities v Italian Republic**

(Case C-327/06) (¹)

(Failure of a Member State to fulfil its obligations — Directive 2002/14/EC — Establishment of a general framework for informing and consulting employees in the European Community — Failure to transpose within the period prescribed)

(2007/C 95/24)

Language of the case: Italian

Parties

Applicant: Commission of the European Communities (represented by: J. Enegren and L. Pignataro, acting as Agents, acting as Agents)

Defendant: Italian Republic (represented by: I. Braguglia, acting as Agent, and M. Massella Ducci Teri, lawyer)

Re:

Failure of a Member State to fulfil its obligations — Failure to take all the measures necessary, within the period prescribed, to comply with Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community — Joint Declaration of the European Parliament and of the Council and the Commission on the representation of workers (OJ 2002 L 80, p. 29).