Operative part

The Court:

1. Dismisses the action;

2. Orders the applicant to pay the costs incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) and by the intervener.

Order of the Court of First Instance (Third Chamber) of 10 October 2006 — Evropaïki Dynamiki v Commission

(Case T-106/05)

Public service contracts — Call for tenders concerning technical assistance to improve the information and communication technology system in the State Institute of Statistics of the Republic of Turkey — Application rejected — Period for bringing proceedings — Confirmatory act — Inadmissibility

1. *Actions for annulment — Action against a decision confirming a decision not challenged within the time-limits (Art. 230 EC) (see paras 46, 48, 49, 54, 55, 60)*

2. *Procedure — Time-limits for bringing actions — Time-barred (see paras 57, 58, 60)*

Re:

ACTION for 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 shortlist it.

Operative part

The Court:

1. Dismisses the action as inadmissible;

2. Orders the applicant to pay the costs.

Order of the Court of First Instance (Third Chamber) of 12 October 2006 — Fermont v Commission

(Case T-307/05)

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

1. *Procedure — Application initiating proceedings — Formal requirements (Statute of the Court of Justice, Art. 21; Rules of Procedure of the Court of First Instance, Art. 44(1)(c)) (see paras 19, 20, 29)*

2. *European Communities — Institutions — Right of public access to documents — Regulation No 1049/2001 (European Parliament and Council Regulation No 1049/2001) (see para. 26)*

Re:

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