Re:

APPLICATION for interim measures requesting, first, an order requiring the Commission to prohibit Manufacture Française des Pneumatiques Michelin, on pain of a penalty, from using in any way or for any purpose whatsoever the information contained in the non-confidential version of the statement of objections of 6 April 2006 adopted in proceedings under Article 81 EC and Article 53 of the EEA Agreement (Case COMP/F/38.638 — Butadiene Rubber (BR) and Emulsion Styrene Butadiene Rubber (ESBR)) which was forwarded to that company as a result of the Commission's decision COMP/F2/D (2006) 1095 of 6 November 2006 and, secondly, an order that the Commission forward to Manufacture Française des pneumatiques Michelin a copy of the order to be given and, lastly, such other or further measures as the President of the Court may deem necessary.

Operative part

The Court:

1. Dismisses the application for interim measures;

2. Reserves the costs.

Order of the President of the Court of First Instance of 4 May 2007 — Icuna.Com v Parliament

(Case T-71/07 R)

Public procurement — Community tendering procedure — Procedure for interim relief — No urgency

1. *Applications for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Prima facie case — Urgency — Serious and irreparable damage — Weighing-up of all the interests at stake (Arts 242 EC and 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(2)) (see paras 30, 31)*

2. *Applications for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Measures not prejudging the decision on the merits (Arts 233 EC, 242 EC and 243 EC) (see paras 46-49)*

Re:

APPLICATION for suspension of the operation of the decision of the European Parliament of 31 January 2007 annulling invitation to tender EP/DGINFO/WEBTV/2006/0003, in so far as concerns lot No 2, pending the decision of the Court of First Instance in the main action.

Operative part

The Court:

1. Dismisses the application for interim measures;

2. Reserves the costs.

Judgment of the Court of First Instance (Fourth Chamber) of 10 May 2007 — Spain v Commission

(Case T-99/05)

Fisheries — Regulation (EC) No 494/2002 — Conservation of the resources of the sea — Legal basis — Principle of non-discrimination — Obligation to state reasons

1. *Acts of the institutions — Choice of legal basis — Criteria — Commission regulation for the recovery of the stock of hake (Council Regulation No 3760/92, Art. 15(1), and No 850/98, Art. 45(1); Commission Regulation No 494/2002) (see paras 21-26)*