

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.

## **Operative part**

The Court:

1. Dismisses the action as inadmissible;
2. Orders the applicant to bear his own costs and pay those incurred by the Commission.

**Judgment of the Court of First Instance (Second Chamber) of 17 October 2006  
— Hammarplast v OHIM — Steninge Slott (STENINGE SLOTT)  
(Case T-499/04)**

Community trade mark — Opposition proceedings — Application for Community word mark STENINGE SLOTT — Earlier word mark STENINGE KERAMIK — Likelihood of confusion

1. *Community trade mark — Appeals procedure (Council Regulation No 40/94, Art. 74(1)) (see para. 20)*
2. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services (Council Regulation No 40/94, Art. 8(1)(b)) (see paras 62, 63)*

**Re:**

ACTION brought against the decision of the Second Board of Appeal of OHIM of 25 October 2004 (Case R 394/2003-2) concerning the opposition filed by the holder of the national trade mark STENINGE KERAMIK against registration of the Community trade mark STENINGE SLOTT.