

Decision of the Opposition Division:	Rejection of the opposition in so far as based on the earlier Swedish mark; opposition allowed for some of the products in dispute in so far as based on the Danish and Finnish marks
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action;
2. Orders the applicant to bear its own costs and to pay those incurred by the Office for Harmonization in the Internal Market (Trade Marks and Designs);
3. Orders the intervener to bear its own costs.

Order of the Court of First Instance (Second Chamber) of 11 December 2006 — Weber v Commission (Case T-290/05)

Access to documents of the Community institutions — Refusal — Application initiating proceedings — Manifest inadmissibility — No need to adjudicate

1. *Actions for annulment — Jurisdiction of the Community judicature — Direction issued to an institution — Not permissible (Art. 230 EC) (see para. 20)*
2. *Procedure — Application initiating proceedings — Reformulation of the initial pleadings — Conditions (see para. 22)*

3. *Procedure — Application initiating proceedings — Formal requirements (Statute of the Court of Justice, Art. 21, first para.; Rules of Procedure of the Court of First Instance, Art. 44(1)(c) and (d)) (see para. 29)*

Re:

ACTION brought against the decision of the Secretariat-General of the Commission of 27 May 2005, rejecting the request for access by the applicant to a letter sent by the Directorate, General for Competition to the Federal German Government concerning State aid proceedings.

Operative part

The Court:

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

**Order of the Court of First Instance (Second Chamber) of 11 December 2006 —
MMT v Commission
(Case T-392/05)**

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

1. *Actions for annulment — Time-limits — Starting point (Art. 230, fifth para., EC; Council Regulation No 659/1999, Arts 7 and 26(3)) (see paras 24-27)*
2. *Community law — Interpretation — Texts in several languages (see para. 30)*
3. *Procedure — Time-limit for instituting proceedings — Matter of public policy — Time-barred — Excusable error — Definition (see paras 36, 37)*