

Operative part

The Court:

1. Dismisses the action;
2. Orders the applicant to pay its own costs as well as those of the Office for Harmonisation in the Internal Market (Trade Marks and Designs);
3. Orders the intervener to pay its own costs.

Order of the Court of First Instance (Fifth Chamber) of 8 September 2006 — Lademporiki and Parousis & Sia v Commission

(Case T-92/06)

Non-contractual liability — Financial aid from the EAGGF — Prosecutions and national administrative penalties — Refusal of the Commission to take a position and bring proceedings for failure to fulfil obligations — Action in part clearly inadmissible and in part devoid of legal foundation

1. *Claim for compensation — Action brought by undertakings prosecuted and subject to administrative penalties for issuing false invoices for the purpose of obtaining Community financial aid (Arts 226 EC and 288, second para., EC) (see para. 25)*
2. *Non-contractual liability — Conditions (Arts 226 EC and 288, second para., EC) (see paras 29, 30)*

Re:

APPLICATION for compensation for material and non-material damage allegedly suffered by the applicants on account of, first, criminal proceedings brought in Greece against their manager, and, second, the decision of the Commission to take no action on the complaint by Lademporiki, lodged on 29 July 2004.

Operative part

The Court:

1. Dismisses the action;
2. Orders the applicants to pay the costs.

**Judgment of the Court of First Instance (Fourth Chamber)
of 13 September 2006 — Sinaga v Commission
(Joined Cases T-217/99, T-321/00 and T-222/01)**

Sugar — Poseima Programme — Regulation (EEC) No 1600/92 — Sugar forecast supply balance for the Azores — Action for annulment — Admissibility — Definition of traditional shipment to the rest of the Community — Statement of reasons — Compliance with essential procedural requirements

1. *Acts of the institutions — Statement of reasons — Obligation — Scope (Art. 253 EC) (see paras 75-86)*
2. *Agriculture — Common organisation of the markets — Sugar — Specific measures for certain agricultural products in favour of the Azores and Madeira (Art. 299(2) EC; Council Regulation No 1600/92, Art. 3(3) and (4); Commission Regulation No 1481/2000; Council Decision 1999/468, Art. 4) (see paras 90-96, 109-128, 136, 137, 143-147)*