

Decision of the Opposition Division :	Opposition upheld and application for registration dismissed
Decision of the Board of Appeal:	Appeal inadmissible

**Operative part**

1. The action is dismissed as inadmissible;
  
2. Francisco Javier González Sánchez is ordered to pay all of the costs.

**Order of the Court of First Instance (Third Chamber) of 11 September 2007 —  
Fels-Werke and Others v Commission**

**(Case T-28/07)**

Application for annulment — Directive 2003/87/EC — Scheme for greenhouse gas emission allowance trading — National plan for Germany's allocation of greenhouse gas emission allowances for the period from 2008 to 2012 — Commission rejection decision — Not individually concerned — Inadmissibility

*Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC; European Parliament and Council Directive No 2003/87, Arts 9 and 11) (see paras 59-61)*

**Re:**

APPLICATION for annulment in part of the Commission's Decision of 29 November 2006 on the national plan for the allocation of greenhouse gas emission allowances notified by the Federal Republic of Germany for the period from 2008 to 2012 pursuant to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ 2003 L 275, p. 32).

**Operative part**

1. The application is dismissed as inadmissible;
2. Fels-Werke GmbH, Saint-Gobain Glass Deutschland GmbH and Spenner Zement GmbH & Co. are ordered to pay the costs.

**Judgment of the Court of First Instance (Second Chamber)  
of 12 September 2007 — Nikolaou v Commission**

**(Case T-259/03)**

Non-contractual liability — Inquiry of the European Anti-Fraud Office (OLAF) concerning a Member of the Court of Auditors — Divulging of information — Protection of personal information — Access to the inquiry file and to OLAF's report — Sufficiently serious breach of the rules of law conferring rights on individuals — Causal link — Loss