

**Re:**

APPLICATION brought by the Commission under Article 238 EC with a view to securing repayment of an advance made to the defendant in the context of a contract concerning a project for the development of technology for producing impermeable leathers (contract G1ST-CT-2002-50227).

**Operative part**

The Court:

1. Dismisses the application;
2. Orders the Commission to pay its own costs.

**Judgment of the Court of First Instance (Fourth Chamber) of 12 July 2007 —  
Annemans v Commission**

**(Case T-411/05)**

Application for annulment — Competition — Handling of complaints — Regulation (EC) No 773/2004 — Commission letter sent to the complainant — Plea of inadmissibility — Preparatory measure — Measure not capable of being appealed — Inadmissibility

*Actions for annulment — Actionable measures — Meaning — Measure producing binding legal effects (Art. 230 EC; Commission Regulation No 773/2004, Art. 7(1) and (2)) (see paras 31-35)*

**Re:**

ACTION for annulment of the decision supposedly contained in the Commission's letter of 5 September 2005 in Case COMP/39.225 relating to the complaint lodged by Gerolf Annemans with the Commission under Article 7 of Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 [EC] and 82 [EC] (OJ 2003 L 1, p. 1).

**Operative part**

The Court:

1. Dismisses the application as inadmissible;
2. Orders Gerolf Annemans to pay the costs.

**Order of the Court of First Instance (Fourth Chamber) of 12 July 2007 —  
Ayuntamiento de Madrid and Madrid Calle 30 v Commission**

**(Case T-177/06)**

Provision of data relating to the excessive deficit procedure — Regulation (EC) No 3605/93 — European System of Accounts 1995 (ESA 95) — Regulation (EC) No 2223/96 — Letter of the Statistical Office of the European Communities (Eurostat) — Action for annulment — Act against which proceedings can be brought —  
Inadmissibility

*Actions for annulment — Actionable measures — Measures producing binding legal effects (Art. 230 EC; Council Regulations Nos 3605/93, 2223/96 and 2103/2005) (see paras 51-66, 71)*