

**Case T-453/05**

**Vonage Holdings Corp.**

**v**

**Office for Harmonization in the Internal Market  
(Trade Marks and Designs) (OHIM)**

(Community trade mark — Representation by a lawyer — Manifest inadmissibility)

Order of the Court of First Instance (Second Chamber), 26 June 2006 . . . II - 1879

Summary of the Order

*Procedure — Application initiating proceedings — Formal requirements  
(Statute of the Court of Justice, Art. 19, fourth para.)*

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It is clear from the fourth paragraph of Article 19 of the Statute of the Court of Justice, which is applicable to proceedings before the Court of First Instance by virtue of Article 53 of that Statute, that two cumulative conditions must be satisfied in order for a person to be able validly to represent parties other than Member States and Community institutions before the Community Courts: that person must be a lawyer and authorised to practise before a court of a Member State or of another State which is party to the Agreement on the European Economic Area. Those requirements are essential formal rules and failure to comply with them will result in the action being inadmissible.

Therefore, an application lodged by a party other than a Member State or one of the Community institutions is inadmissible if it is signed by a person who, even though he may be able to represent parties in actions before the courts of a Member State, is not admitted as a member of the Bar and, therefore, is not a lawyer within the terms of Article 19 of the Statute.

(see paras 11, 13, 16)