

Case T-14/04

Alto de Casablanca, SA

v

**Office for Harmonisation 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 (Fifth Chamber), 9 September 2004 . . . II - 3079

Summary of the Order

*Procedure — Originating application — Formal requirements — Signature by a lawyer —
Applicant represented by a patent and trade mark agent who is not a lawyer — Inadmissible
(Statute of the Court of Justice, Art. 19)*

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It is clear from 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 the Statute, that only a lawyer authorised to practice before a court of a Member State or of another State which is a party to the Agreement on the European Economic Area may represent or assist parties, other than the States and institutions referred to in the first and second paragraphs of that article, before the Community Courts, since that is an essential procedural requirement, which, if not observed, will lead to the action being inadmissible.

An application lodged by a non-privileged party and signed by a patent and trade mark agent who, although entitled to represent parties in certain actions before the courts and tribunals of a Member State, is not a lawyer is therefore inadmissible.

(see paras 9, 11)