

3. *Community law — Principles — Protection of legitimate expectations — Conditions (see para. 39)*

Re:

Application for compensation for the non-material damage allegedly suffered by the applicants because of the Commission's conduct in the treatment of their complaint concerning alleged infringements by the Hellenic Republic of Community environmental law.

Operative part

The Court:

1. Dismisses the action;
2. Orders the applicants to bear their own costs and to pay those incurred by the Commission.

**Order of the Court of First Instance (Second Chamber) of 13 January 2006 —
Dimos Ano Liosion and Others v Commission**

(Case T-85/05)

Inadmissibility — Persons not the addressees of Community measures —
Direct concern

1. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC) (see para. 28)*
2. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC) (see para. 30)*

Re:

Annulment of Commission Decision E(2004) 5522 of 21 December 2004 concerning the grant of financial assistance by the Cohesion Fund for the project entitled 'Construction of Phase 1 of the second landfill site for waste in West Attica at "Skalistiri" in the municipality of Fyli'.

Operative part

The Court:

1. Dismisses the application as inadmissible;
2. Orders the applicants to bear the costs of the proceedings, including those relating to the interim proceedings.

**Judgment of the Court of First Instance (Second Chamber)
of 17 January 2006 — Henkel v OHIM**

(Case T-398/04)

Community trade mark — Figurative mark — Red and white rectangular tablet with an oval blue centre — Absolute ground for refusal — Article 7(1)(b) of Regulation (EC) No 40/94 — Absence of distinctive character

Community trade mark — Definition and acquisition of the Community trade mark — Absolute grounds for refusal — Marks devoid of any distinctive character (Council Regulation No 40/94, Art. 7(1)(b)) (see paras 37-39)