

**Order of the General Court of 21 May 2010 — ICO Services v Parliament and Council**

(Case T-441/08) <sup>(1)</sup>

*(Actions for annulment — Decision No 626/2008/EC — Common framework for the selection and authorisation of operators of systems providing mobile satellite services — Absence of direct concern — Inadmissibility)*

(2010/C 195/28)

Language of the case: English

**Parties**

*Applicant:* ICO Services Ltd (Slough, Berkshire, United Kingdom) (represented by: S. Tupper, Solicitor)

*Defendants:* European Parliament (represented by: J. Rodrigues and R. Kaškina, Agents) and Council of the European Union (represented by: G. Kimberley and F. Florindo Gijón, Agents)

*Intervener in support of the defendants:* European Commission (represented by: M. Wilderspin and A. Nijenhuis, Agents)

**Re:**

Application for annulment of Decision No 626/2008/EC of the European Parliament and of the Council of 30 June 2008 on the selection and authorisation of systems providing mobile satellite services (MSS) (OJ 2008 L 172, p. 15)

**Operative part of the order**

1. *The action is dismissed as inadmissible.*
2. *ICO Services Ltd shall bear its own costs and pay the costs of the European Parliament and of the Council of the European Union.*
3. *The European Commission shall bear its own costs.*

<sup>(1)</sup> OJ C 6, 10.1.2009.

**Order of the General Court of 17 May 2010 — Volkswagen v OHIM — Deutsche BP (SunGasoline)**

(Case T-502/08) <sup>(1)</sup>

*(Community trade mark — Opposition — Withdrawal of opposition — No need to rule)*

(2010/C 195/29)

Language of the case: German

**Parties**

*Applicant:* Volkswagen AG (Wolfsburg, Germany) (represented by: H.-P. Schrammek, C. S. Drzymalla and S. Risthaus, lawyers)

*Defendant:* Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (represented by: S. Schäffner, acting as Agent)

*Other party to the proceedings before the Board of Appeal of OHIM:* Deutsche BP AG (Gelsenkirchen, Germany)

**Re:**

Action brought against the decision of the Fourth Board of Appeal of OHIM of 19 September 2008 (Case R 513/2007-4), concerning opposition proceedings between Deutsche BP AG and Volkswagen AG

**Operative part of the judgment**

*The Court:*

1. *Holds that there is no need to rule on the action;*
2. *Orders the applicant and the defendant to pay their own costs.*

<sup>(1)</sup> OJ C 44, 21.2.2009.

**Order of the General Court of 18 May 2010 — Abertis Infraestructuras v Commission**

(Case T-200/09) <sup>(1)</sup>

*(Action for annulment — Concentrations — Decision to close the procedure initiated under Article 21(4) of Regulation (EC) No 139/2004 — Period within which proceedings must be brought — Starting point — Inadmissibility)*

(2010/C 195/30)

Language of the case: Spanish

**Parties**

*Applicant:* Abertis Infraestructuras, SA (Barcelona, Spain) (represented by: M. Roca Junyent and P. Callol García, lawyers)

*Defendant:* European Commission (represented by: V. Di Bucci and É. Gippini Fournier, acting as Agents)

**Re:**

Application to annul the Commission's decision of 13 August 2008 to close the procedure initiated under Article 21(4) of Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings (OJ 2004 L 24, p. 1), in relation to a concentration transaction between the applicant and Autostrade SpA (Case COMP/M.4388 — Abertis/Autostrade)

**Operative part of the order**

1. *The action is dismissed as inadmissible.*
2. *Abertis Infraestructuras, SA is ordered to pay the costs.*

(<sup>1</sup>) OJ C 167, 18.7.2009.

**Order of the General Court of 26 May 2010 — Noko Ngele v Commission**

(Case T-15/10 R)

**(Application for interim measures — Formal requirements — Inadmissibility)**

(2010/C 195/31)

*Language of the case: French*

**Parties**

*Applicant:* Mariyus Noko Ngele (Brussels, Belgium) (represented by: F. Sabakunzi, lawyer)

*Defendant:* European Commission (represented by: A. Bordes, acting as Agent)

**Re:**

Essentially, an application to have the activity of the 'Centre pour le développement de l'entreprise (CDE)' in Belgium declared illegitimate, to prevent the Commission and its agents from entering into financial relations with the CDE or from recognising the legitimacy of the CDE and to order the Commission to pay the applicant a sum of money if the Commission recognises the legitimacy of that body

**Operative part of the order**

1. *The application for interim relief is dismissed.*
2. *Costs are reserved.*

**Action brought on 28 April 2010 — Hungary v Commission**

(Case T-194/10)

(2010/C 195/32)

*Language of the case: Hungarian*

**Parties**

*Applicant:* Hungarian Republic (represented by: J. Fazekas, M. Fehér and K. Szijjártó, Agents)

*Defendant:* European Commission

**Form of order sought**

— Annulment of the registration by the Commission in the E-Bacchus database of the protected designation of origin 'Vinohradnícka oblasť Tokaj' in place of the previous Slovak protected designation of origin 'Tokajská vinohradnícka oblasť'.

— An order that the Commission pay the costs.

**Pleas in law and main arguments**

The applicant takes issue with the registration of the Slovak protected designation of origin 'Vinohradnícka oblasť Tokaj' in the electronic register of protected designations of origin and protected geographical indications for wine ('E-Bacchus register') made by the Commission pursuant to Council Regulation (EC) No 1234/2007. (<sup>1</sup>)

By its first plea in law the applicant alleges that, by changing the registration the Commission has breached the relevant provisions of Regulation No 1234/2007 and of Regulation (EC) No 607/2009, (<sup>2</sup>) since the disputed amendment of the original entry in the E-Bacchus register grants automatic protection, pursuant to the new legislation, to a designation which cannot be considered to be an 'existing protected name' within the meaning of Article 118s of Regulation No 1234/2007.