

Decision of the Board of Appeal: Annuls the decision of the opposition division and rejects the application

Pleas in law: Violation of Articles 63 (2) and 8 (5) of Regulation No 40/94 as well as Article 5.1.2. of Directive No. 89/104/CEE; the applicant submits that the earlier unregistered word mark was not, in fact, invoked in the notice of opposition. It also contests the findings that the reputation of the stock exchange index 'nasdaq' is the same as the reputation of the trade mark of the same name. It finally submits that the notion of reputation in Regulation 40/94 and Directive 89/104 is not the same as notoriety under the Paris Convention.

**Order of the Court of First Instance of 17 January 2006 —
Henkel v OHIM**

(Case T -67/03) ⁽¹⁾

(2006/C 74/59)

Language of the case: French

The President of the Third Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 124, 24.5.2003.

**Order of the Court of First Instance of 6 February 2006 —
Datac v OHIM**

(Case T -341/04) ⁽¹⁾

(2006/C 74/60)

Language of the case: German

The President of the Second Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 284, 20.11.2004.

**Order of the Court of First Instance of 19 January 2006 —
MobilCom v Commission**

(Case T -397/04) ⁽¹⁾

(2006/C 74/61)

Language of the case: German

The President of the First Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 314, 18.12.2004.

**Order of the Court of First Instance of 11 January 2006 —
Steinmetz v Commission**

(Case T -155/05) ⁽¹⁾

(2006/C 74/62)

Language of the case: French

The President of the First Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 155, 25.6.2005.

**Order of the Court of First Instance of 9 January 2006 —
Corsica Ferries France v Commission**

(Case T -231/05) ⁽¹⁾

(2006/C 74/63)

Language of the case: French

The President of the Third Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 205, 20.8.2005.