

COURT OF FIRST INSTANCE

ORDER OF THE COURT OF FIRST INSTANCE

of 25 September 2002

in Case T-178/01: **Di Leonardo Adriano SRL v Commission of the European Communities** ⁽¹⁾**(Bananas — Regulation No 896/2001 — Action for annulment — Person individually concerned — Admissibility)**

(2003/C 7/38)

(Language of the case: Italian)

In Case T-178/01: Di Leonardo Adriano SRL, represented by A. Bozzi, C. Gatti and B. Telchini, lawyers, against Commission of the European Communities (Agents: L. Visaggio and A. Dal Ferro) — application for annulment of Commission Regulation (EC) No 896/2001 of 7 May 2001 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community (OJ 2001 L 126, p. 19) — the Court of First Instance (Fifth Chamber), composed of J.D. Cooke, President, and R. García-Valdecasas and P. Lindh, Judges; H. Jung, Registrar, made an order on 25 September 2002, in which it:

1. *Held the action to be inadmissible;*
2. *Ordered the applicant to bear the whole of the costs.*

⁽¹⁾ OJ C 289 of 13.10.01.

ORDER OF THE COURT OF FIRST INSTANCE

of 25 September 2002

in Case T-179/01: **Dilexport SRL v Commission of the European Communities** ⁽¹⁾**(Bananas — Regulation No 896/2001 — Action for annulment — Person individually concerned — Admissibility)**

(2003/C 7/39)

(Language of the case: Italian)

In Case T-179/01: Dilexport SRL, represented by A. Bozzi, C. Gatti and B. Telchini, lawyers, against Commission of the

European Communities (Agents: L. Visaggio and A. Dal Ferro) — application for annulment of Commission Regulation (EC) No 896/2001 of 7 May 2001 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community (OJ 2001 L 126, p. 19) — the Court of First Instance (Fifth Chamber), composed of J.D. Cooke, President, and R. García-Valdecasas and P. Lindh, Judges; H. Jung, Registrar, made an order on 25 September 2002, in which it:

1. *Held the action to be inadmissible.*
2. *Ordered the applicant to bear the whole of the costs.*

⁽¹⁾ OJ C 289 of 13.10.01.

Action brought on 11 October 2002 by H.O. Sports Company, Inc. against the Office for Harmonisation in the Internal Market (Trade Marks and Designs)

(Case T-318/02)

(2003/C 7/40)

(Language of the case: English)

An action against the Office for Harmonisation in the Internal Market (Trade Marks and Designs) was brought before the Court of First Instance of the European Communities on 11 October 2002 by H.O. Sports Company, Inc., Redmond, Washington, U.S.A., represented by Mr Fabrizio Jacobacci, lawyer.

The applicant claims that the Court should:

- amend the decision of 17 July 2002 (File No. R 140/2002-3) of the Third Board of Appeal of the Office for Harmonisation in the Internal Market (Trade Marks and Designs) and allow the Community Trade Mark Application to proceed to registration in connection with the following goods:

- ‘backpacks; travel bags; duffel bags for practice of wakeboard’ in international class 18;