Order of the Court of First Instance (Third Chamber) of 7 September 2007 — González Sánchez v OHIM — Bankinter (ENCUENTA)

(Case T-49/06)

Community trade mark — Opposition proceedings — Article 63(4) of Regulation (EC) No 40/94 — Lack of standing to bring proceedings — Inadmissibility

Community trade mark — Appeals procedure — Appeals before the Community judicature — Persons entitled to appeal and to be parties to the proceedings (Council Regulation No 40/94, Art. 63(4)) (see paras 22-24)

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 16 December 2005 (Case R 1116/2005-2) concerning opposition proceedings between Bankinter SA and the Confederación Española de Cajas de Ahorros.

Information relating to the case

Applicant for the Community trade mark:	Confederación Española de Cajas de Ahorros
Community trade mark sought:	Word mark ENCUENTA for goods and services in Classes 16, 36 and 38 — Application No 2534584
Proprietor of the mark or sign cited in the opposition proceedings:	Bankinter, SA
Mark or sign cited in opposition:	Figurative Community mark ecuenta ebankinter for goods and services in Classes 16, 36 and 38 — Application No 2396760

Decision of the Opposition Division :	Opposition upheld and application for registration dismissed
Decision of the Board of Appeal:	Appeal inadmissible

Operative part

1. The action is dismissed as inadmissible;

2. Francisco Javier González Sánchez is ordered to pay all of the costs.

Order of the Court of First Instance (Third Chamber) of 11 September 2007 — Fels-Werke and Others v Commission

(Case T-28/07)

Application for annulment — Directive 2003/87/EC — Scheme for greenhouse gas emission allowance trading — National plan for Germany's allocation of greenhouse gas emission allowances for the period from 2008 to 2012 — Commission rejection decision — Not individually concerned — Inadmissibility

Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC; European Parliament and Council Directive No 2003/87, Arts 9 and 11) (see paras 59-61)