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)

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 4 August 2004 (Case R 771/1999-2), in relation to the registration of a figurative mark consisting of the representation of a rectangular tablet.

Information relating to the case:

Applicant for the Community trade mark:	Henkel KGaA
Community trade mark sought:	Figurative mark consisting of a red and white rectangular dish-washer tablet with an oval blue centre for goods in Classes 1 (chemicals used in industry), 3 (soaps, etc.) and 21 (sponges, etc.) — Application No 941 971
Proprietor of the mark or sign cited in the opposition proceedings:	—
Mark or sign cited in opposition:	—
Decision of the Opposition Division:	Refusal to register by the examiner
Decision of the Board of Appeal:	Dismissal of the appeal

Operative part

The Court:

1. Dismisses the action;

2. Orders the applicant to pay the costs.

Judgment of the Court of First Instance (First Chamber) of 18 January 2006 — Regione Marche v Commission

(Case T-107/03)

Integrated Mediterranean Programme (IMP) for the Marche Region (Italy) — Ending of financial assistance — Ineligible expenditure — Action for annulment — Absence of legal basis — Legitimate expectation — Failure to state grounds