4. The action is dismissed as to the remainder as manifestly devoid of any basis in law.

5. Mr Noko Ngele is ordered to pay the costs of these proceedings and the interim proceedings.

Judgment of the General Court (Sixth Chamber) of 31 March 2011 — Greece v Commission

(Case T-214/07)

(EAGGF — Guarantee Section — Expenditure excluded from Community financing — Arable crops — Specific measures for certain agricultural products in favour of the smaller Aegean islands)

1. *Agriculture — EAGGF — Clearance of accounts — Limitation of refusal of financing — 24-month period — Point from which time starts to run — Communication by the Commission of the results of checks (Council Regulations Nos 729/70, Art. 5(2)(c) and 1258/1999, Art. 7(4), fifth para.) (see para. 39)*

2. *Agriculture — EAGGF — Clearance of accounts — Disallowance of expenditure arising from irregularities in the application of the Community rules — Challenge by the Member State concerned — Burden of proof — Allocation between the Commission and the Member State (Council Regulations Nos 729/70 and 1258/1999) (see paras 51, 53-55)*

3. *Acts of the institutions — Regulations — Regulation prescribing specific control measures — No discretion of Member States — Non-implementation — Justification — Other system of control more efficient — Not permissible (see para. 56)*

4. *Actions for annulment — Jurisdiction of the Community judicature — Commission decision withdrawing Community financial assistance — No power to substitute another decision or vary the disputed decision — Pleas for reduction of the amount to be repaid — Inadmissibility (Art. 230 EC) (see para. 136)*

Re:

APPLICATION for annulment of Commission Decision 2007/243/EC of 18 April 2007 excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) (OJ 2007 L 106, p. 55).

Operative part

1. Dismisses the action;

2. Orders the Hellenic Republic to pay the costs.

Judgment of the General Court (Eighth Chamber) of 7 April 2011 — Gruber v OHIM (Run the globe)

(Case T-12/09)

(Community trade mark — Application for Community word mark Run the globe — Absolute ground for refusal — Lack of distinctive character — Article 7(1)(b) of Regulation (EC) No 40/94 (now Article 7(1)(b) of Regulation (EC) No 207/2009)