Order of the Court of First Instance (Second Chamber) of 28 August 2007 — Galileo Lebensmittel v Commission

(Case T-46/06)

Action for annulment — Implementation of the Top Level Domain 'eu' — Registration of the domain name 'galileo.eu' — Use restricted to the institutions and bodies of the Community — Locus standi — Inadmissibility

1. *Actions for annulment — Jurisdiction of the Community judicature — Direction issued to an institution — Not permissible (Arts 231 EC and 233 EC) (see paras 25, 26)*

2. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC; Commission Regulation No 874/2004, Art. 9, second para.) (see paras 32, 44-56)*

Re:

ACTION for annulment of the Commission's decision, pursuant to Article 9 of Commission Regulation (EC) No 874/2004 of 28 April 2004 laying down public policy rules concerning the implementation and functions of the '.eu' Top Level Domain and the principles governing registration (OJ 2004 L 162, p. 40), to reserve the domain name 'galileo.eu' for Community institutions and bodies.

Operative part

The Court:

1. Dismisses the action as inadmissible;

2. Orders Galileo Lebensmittel GmbH & Co. KG to bear its own costs and pay those incurred by the Commission.

Order of the Court of First Instance (Second Chamber) of 29 August 2007 — SELEX Sistemi Integrati v Commission

(Case T-186/05)

Action for damages — Non-contractual liability — Competition — Decision of the Commission rejecting a complaint under Article 82 EC — Action in part manifestly inadmissible and in part manifestly without foundation in law — Actual loss

1. *Non-contractual liability — Damage — Damage for which compensation due (Art. 288, second para., EC) (see paras 15, 16)*

2. *Non-contractual liability — Conditions — Actual and certain damage — Burden of proof (Art. 288, second para., EC) (see paras 20, 27, 33, 36)*

Re:

ACTION for damages for the loss allegedly suffered by the applicant as a result of the decision of the Commission of 12 February 2004 rejecting the complaint brought by the applicant against Eurocontrol in respect of alleged infringements of the provisions of the EC Treaty on competition.