Order of the Court of First Instance (Third Chamber) of 14 December 2006 — K-Swiss v OHIM (Parallel stripes on a shoe)

(Case T-14/06)

Community trade mark — Procedural issues — Plea of inadmissibility — Notification of the decision of the Board of Appeal — Time-limit for bringing an action

Community trade mark — Procedural provisions (Commission Regulation No 2868/95, Art. 1, Rules 61(2), 62(1) and (3) and 68) (see paras 22, 25, 26, 28)

Re:

ACTION brought against the decision of the First Board of Appeal of OHIM of 26 September 2005 (Case R 1109/2004-1), concerning registration of a mark in the form of five parallel stripes placed on the lateral part of a representation of a shoe as a Community trade mark.

Information relating to the case

Applicant for the Community trade mark:	K-Swiss, Inc.
Community trade mark sought:	Figurative mark representing a shoe with five parallel stripes on the side for goods in Class 25 — Application No 2788511
Decision of the Examiner:	Application dismissed
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the action as inadmissible;

2. Orders the applicant to pay the costs.