Re:

APPEAL brought against the judgment of the Court of First Instance (Second Chamber) of 3 October 2006 in Case T-171/05 *Nijs* v *Court of Auditors*, in which the Court of First Instance dismissed — in so far as it relied on grounds other than a failure to give reasons — the action seeking, first, annulment of the decision establishing the definitive version of the appellant's staff report for the 2003 reporting period, the decision allocating the appellant merit points for the 2003 reporting period and the decision not to promote him in 2004, and of the decision rejecting the complaint brought against those decisions and, secondly, an application for compensation in respect of the harm suffered.

Operative part

1. The appeal is dismissed;

2. Mr Nijs is ordered to pay the costs.

Judgment of the Court (Eight Chamber) of 25 October 2007 — Commission v Czech Republic

(Case C-114/07)

Failure of a Member State to fulfil obligations — Community code relating to medicinal products for human use — Directive 2004/24/EC — Traditional herbal medicinal products — Failure to transpose within the prescribed period

Actions for failure to fulfil obligations — Examination of merits by the Court — Situation to be taken into consideration — Situation on expiry of the period laid down in the reasoned opinion (Art. 226 EC) (see para. 7)

Re:

FAILURE of a Member State to fulfil obligations — Failure to adopt, within the prescribed period, the laws, regulations and administrative provisions necessary to comply with Directive 2004/24/EC of the European Parliament and of the Council of 31 March 2004 amending, as regards traditional herbal medicinal products, Directive 2001/83/EC on the Community code relating to medicinal products for human use (OJ 2004 L 136, p. 85).

Operative part

The Court:

1. Declares that, by failing to adopt, within the prescribed period, the laws, regulations and administrative provisions necessary to comply with Directive 2004/24/EC of the European Parliament and of the Council of 31 March 2004 amending, as regards traditional herbal medicinal products, Directive 2001/83/EC on the Community code relating to medicinal products for human use, the Czech Republic has failed to fulfil its obligations under that directive;

2. Orders the Czech Republic to pay the costs.

Order of the Court (Fifth Chamber) of 26 October 2007 — PTV v OHIM

(Case C-512/06 P)

Appeal — Community trade mark — Article 7(1)(b) and (c) of Regulation (EC) No 40/94 — Absolute grounds for refusal — Lack of distinctiveness — Word mark 'map&guide'