Re:

Failure of a Member State to fulfil obligations — Failure to adopt, within the prescribed period, the provisions necessary to comply with Directive 2004/26/EC of the European Parliament and of the Council of 21 April 2004 amending Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery (OJ 2004 L 146, p. 1).

Operative part

The Court:

1. Declares that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2004/26/EC of the European Parliament and of the Council of 21 April 2004 amending Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery, the Italian Republic has failed to fulfil its obligations under that directive;

2. Orders the Italian Republic to pay the costs.

Order of the Court (Seventh Chamber) of 20 April 2007 — TEA-CEGOS and STG v Commission

(Case C-189/06 P)

Appeal — Public contracts for services — Call for tenders relating to a multiple framework contract for the short term recruitment of experts responsible for providing technical assistance to third countries — Rejection of the appellants' tender — Appeal manifestly unfounded

European Communities' public procurement — Tendering procedure (see paras 29-31)

Re:

Appeal brought against the judgment of the Court of First Instance (Second Chamber) of 14 February 2006 in Joined Cases T-376/05 and T-383/05 *TEA-CEGOS and Others* v *Commission* dismissing the application for annulment, first, of the Commission's decisions of 12 October 2005 rejecting the tenders submitted by the applicants in the context of the procedure for the call for tenders bearing the reference 'EuropeAid/119860/C/SV/multi-Lot 7' and, second, of any other decision taken by the Commission in the context of the same call for tenders following the decisions of 12 October 2005.

Operative part

The Court:

1. Dismisses the appeal;

2. Orders TEA-CEGOS SA and Services techniques globaux (STG) SA to pay the costs.

Order of the Court (Sixth Chamber) of 24 April 2007 — Castellblanch v OHIM

(Case C-131/06 P)

Appeal — Figurative mark CRISTAL CASTELLBLANCH — Refusal of registration

1. *Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of*