Operative part

The Court:

1. Declares that, by failing to adopt, within the period prescribed, all the laws, regulations and administrative provisions necessary to comply with Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community, the Hellenic Republic has failed to fulfil its obligations under that directive;

2. Orders the Hellenic Republic to pay the costs.

Order of the Court (Sixth Chamber) of 18 September 2007 — Sellier v Commission

(Case C-191/07 P)

Appeals — Time-limit — Inadmissibility

Procedure — Time-limit for instituting proceedings — Claim barred by lapse of time — Unforeseeable circumstances or force majeure (Statute of the Court of Justice, Art. 45, para. 2; Rules of Procedure of the Court, Arts 37(6) and 81(2)) (see paras 7, 9)

Re:

Appeal against the order of the Court of First Instance (Fourth Chamber) of 15 January 2007, *Sellier* v *Commission* (T-276/06), whereby the Court of First Instance dismissed as inadmissible the action by the applicant for annulment of the Commission's decision of 14 July 2006 to take no action on his complaint alleging that French legislation concerning the deposit of funds held by notaries with certain banking establishments was contrary to Community law.

Operative part

1. Appeal dismissed.

2. Mr Sellier ordered to bear his own costs.

Judgment of the Court (Third Chamber) of 20 September 2007 — Nestlé v OHIM

(Case C-193/06 P)

Appeal — Community trade mark — Regulation (EC) No 40/94 — Article 8(1)(b) — Figurative mark containing the word 'QUICKY' — Opposition of holder of earlier national word marks QUICKIES — Likelihood of confusion — Overall assessment

Community trade mark — Definition and acquisition of the Community trade mark — Relative grounds for refusal — Opposition by the proprietor of an earlier identical or similar mark registered for identical or similar goods or services (Council Regulation No 40/94, Art. 8(1)(b)) (see paras 34, 35, 46, 47, 76)

Re:

APPEAL brought against the judgment of the Court of First Instance (First Chamber) of 22 February 2006 in Case T-74/04 *Nestlé* v *OHIM*, intervener: Quick Restaurants SA, dismissing the action for annulment of the decision of the Second Board of Appeal of OHIM of 17 December 2003 (Case R 922/2001-2) concerning opposition proceedings in which the parties were Société des Produits Nestlé SA and Quick Restaurants SA.