Operative part

The Court:

1. Dismisses the action;

2. Orders the applicant to pay the costs incurred by the Office for Harmonization in the Internal Market (Trade Marks and Designs);

3. Orders the intervener to bear its own costs.

Order of the President of the Court of First Instance of 21 May 2007 — Kronberger v Parliament

(Case T-18/07 R)

Interim proceedings — Act concerning the election of Members of the European Parliament — Application for interim measures — Inadmissibility

1. *Applications for interim measures — Interim measures — Conditions for granting — Urgency — 'Prima facie case' — Cumulative conditions (Art. 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(2)) (see paras 23, 24)*

2. *Applications for interim measures — Conditions of admissibility — Admissibility of main application — Irrelevance — Limits (Arts 242 EC and 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(1), second subpara.) (see para. 27)*

3. *Actions for annulment — Jurisdiction of the Community Courts (Art. 230 EC) (see paras 37, 38)*

Re:

APPLICATION for interim measures seeking to obtain, first, a provisional declaration that the award of a seat in the European Parliament to its current holder is invalid, and second, a provisional award of that seat to the applicant.

Operative part

The Court:

1. Dismisses the application for interim measures;

2. Reserves the costs.

Judgment of the Court of First Instance (Second Chamber) of 22 May 2007 — Mebrom v Commission

(Case T-198/05)

Non-contractual liability — Importation of methyl bromide into the European Union — Delay in setting up an Internet site for requesting and obtaining import licences and quotas — Articles 6 and 7 of Regulation (EC) No 2037/2000 — Damage resulting from loss of profit — Actual damage

Non-contractual liability — Conditions (Art. 288, second para., EC) (see paras 50-52, 59, 68, 70, 72)

Re:

ACTION for compensation for the damage allegedly suffered by the applicant as a result of the Commission's failure to set up a system allowing the applicant to import methyl bromide for critical uses into the European Union in January and February 2005.