Re:

APPLICATION for annulment of the decision of the Fourth Board of Appeal of OHIM of 7 April 2006 (Case R 788/2005-4), refusing to register the word mark BASICS as a Community trade mark.

Information relating to the case

Applicant for the Community trade mark:	ColArt/Americas, Inc.
Community trade mark sought:	Word mark BASICS for goods in Class 2 — Application No 2433613
Decision of the Examiner:	Refusal of registration
Decision of the Board of Appeal:	Appeal dismissed

Operative part

The Court:

1. Dismisses the appeal;

2. Orders ColArt/Americas, Inc. to pay the costs.

Judgment of the Court of First Instance (Second Chamber) of 12 September 2007 — Commission v Internet Commerce Network and Dane-Elec Memory

(Case T-184/06)

Arbitration clause — Contract concluded in the framework of a special programme in the field of information society technologies (Crossmarc project) — Non-performance of the contract — Repayment of the advance paid by the Community — At-first-demand guarantee of the contractual obligations — Default procedure

Procedure — Referral to the Court of First Instance under an arbitration clause (see paras 25-29, 31-36)

Re:

ACTION, based on an arbitration clause, for an order that the defendants repay the amount of the advance paid by the Community, and interest for late payment, following the non-performance of Contract No 2000-25366 concluded in the framework of a special programme for research, technological development and demonstration in the field of information society technologies (IST) (1998-2002) concerning the Crossmarc project (Cross-lingual Multi Agent Retail Comparison).

Operative part

The Court:

1. Orders Dane-Elec Memory to pay to the Commission of the European Communities the principal sum of EUR 55 878 with interest thereon:

   — at the annual rate of 4.75% from 16 March 2004 to 31 December 2005;

   — at the annual rate of 5% from 1 January to 31 December 2006;

   — at the annual rate of 5.25% from 1 January 2007 until the debt is paid in full;

2. Decides that there is no need to adjudicate on the claim against Internet Commerce Network;

3. Orders Dane-Elec Memory to bear its own costs and pay those incurred by the Commission;

4. Orders Internet Commerce Network to bear its own costs.

Order of the President of the Court of First Instance of 13 September 2007 — Berliner Institut für Vergleichende Sozialforschung v Commission

(Case T-292/07 R)

Interim measures — Failure to bring proceedings — Inadmissibility

Applications for interim measures — Suspension of operation — Conditions governing admissibility — Action brought against the measure of which suspension of operation sought (Art. 242 EC; Rules of Procedure of the Court of First Instance, Art. 104(1), first para.) (see para. 2)

Re:

APPLICATION to suspend the operation of the debit notes bearing the numbers 3240905385, 3240905379, 3240905378 and 3240905393 issued by the Commission in connection with the contracts JAI/DAP/2000/338-C, JAI/2001/DAP/161/C, JAI/2002/DAP/094-W and JAI/2003/DAP/080-W.

Operative part

1. The application is inadmissible;

2. The applicant is ordered to bear its own costs.