duty on imports of certain unbleached cotton fabrics originating in the People's Republic of China, Egypt, India, Indonesia and Pakistan, definitively collecting the provisional duty imposed by Regulation (EC) No 773/98 (OJ 1998 L 111, p. 19) and terminating the anti-dumping proceeding in respect of imports of these fabrics originating in Turkey, submitted by the Commission of the European Communities on 21 September 1998 (document COM(1998) 540 final);

2. Orders the Council of the European Union to pay the costs;

3. Orders the United Kingdom of Great Britain and Northern Ireland to bear its own costs.

## Judgment of the Court of First Instance (Fourth Chamber, Extended Composition) of 17 March 2005 — Philips v Council

**(Case T-177/00)**

Dumping — Failure by the Council to adopt a Commission proposal for a regulation imposing a definitive anti-dumping duty — Absence of simple majority necessary for the adoption of a regulation — Obligation to state reasons

*1. Applications for interim measures — Actionable measures — Definition — Measures producing binding legal effects — Failure to adopt a proposal for a regulation imposing an anti-dumping duty — Effect of the regulatory nature of the anti-dumping procedure — None (Art. 230 EC; Council Regulation No 384/96, Art. 6(9)) (see paras 30-32)*

2. *Acts of the institutions — Statement of reasons — Obligation — Scope — Failure to adopt a proposal for a regulation imposing a definitive anti-dumping duty (Art. 253 EC; Council Regulation No 384/96) (see para. 35)*

**Re**

ACTION for the annulment of the Council's decision of 8 May 2000 rejecting the proposal for a Council Regulation (EC) imposing a definitive anti-dumping duty on imports of certain parts of television camera systems originating in Japan, submitted by the Commission of the European Communities on 7 April 2000 (document COM (2000) 195 final)

**Operative part**

The Court:

1. Annuls the Council's decision of 8 May 2000 rejecting the proposal for a Council Regulation (EC) imposing a definitive anti-dumping duty on imports of certain parts of television camera systems originating in Japan, submitted by the Commission of the European Communities on 7 April 2000 (document COM(2000) 195 final);

2. Orders the Council of the European Union to pay the costs.

## Judgment of the Court of First Instance (Second Chamber) of 13 April 2005 — Duarte y Beltrán v OHIM — Mirato (INTEA)

**(Case T-353/02)**

Community trade mark — Opposition proceedings — Application for Community word mark INTEA — Earlier national word marks INTESA — Refusal of registration — Relative ground for refusal — Article 8(1)(b) of Regulation (EC) No 40/94