Operative part

The Court:

1. Dismisses the application for interim measures;

2. Reserves the costs.

Order of the President of the Court of First Instance of 3 May 2007 — Polimeri Europa v Commission

(Case T-12/07 R)

Application for interim measures — Competition — Application for further interim measures — Order addressed to third parties — Inadmissibility

1. *Applications for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Prima facie case — Urgency — Cumulative nature — Weighing-up of all the interests at stake (Arts 225(1) EC, 242 EC and 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(2)) (see paras 33-35)*

2. *Applications for interim measures — Interim measures — Application that the Commission be ordered to adopt in relation to a third party, not party to the proceedings, measures outside its competence — Inadmissibility (Art. 243 EC; Council Regulation No 1/2003, Arts 8, 9 and 23(2)(b) and (c); Commission Regulation No 773/2004, Art. 8) (see paras 50-54)*

3. *Applications for interim measures — Conditions of admissibility — Application — Formal requirements (Rules of Procedure of the Court of First Instance, Arts 44(1)(d) and 104(3)) (see paras 56-58)*

4. *Applications for interim measures — Interim measures — Conditions for granting — Interest of the applicant in obtaining the measure sought (Art. 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(2)) (see para. 59)*

Re:

APPLICATION for interim measures requesting, first, an order requiring the Commission to prohibit Manufacture Française des Pneumatiques Michelin, on pain of a penalty, from using in any way or for any purpose whatsoever the information contained in the non-confidential version of the statement of objections of 6 April 2006 adopted in proceedings under Article 81 EC and Article 53 of the EEA Agreement (Case COMP/F/38.638 — Butadiene Rubber (BR) and Emulsion Styrene Butadiene Rubber (ESBR)) which was forwarded to that company as a result of the Commission's decision COMP/F2/D (2006) 1095 of 6 November 2006 and, secondly, an order that the Commission forward to Manufacture Française des pneumatiques Michelin a copy of the order to be given and, lastly, such other or further measures as the President of the Court may deem necessary.

Operative part

The Court:

1. Dismisses the application for interim measures;

2. Reserves the costs.

Order of the President of the Court of First Instance of 4 May 2007 — Icuna.Com v Parliament

(Case T-71/07 R)

Public procurement — Community tendering procedure — Procedure for interim relief — No urgency

1. *Applications for interim measures — Suspension of operation of a measure — Interim measures — Conditions for granting — Prima facie case — Urgency — Serious and irreparable damage — Weighing-up of all the interests at stake (Arts 242 EC and 243 EC; Rules of Procedure of the Court of First Instance, Art. 104(2)) (see paras 30, 31)*