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EU News: Click & Read

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This monthly newsletter contains a selection of recent official documents from the European Union. It features information of particular interest to Swiss readers and aims to provide universities, cantonal and federal administrations, lawyers, trade and financial businesses with information about the latest legal developments in the European Union.

Highlight of the month:

[Proposal for a Council decision on a Community position within the Joint Committee on a recommendation on the reimportation of originating products and on the acceptance by the Contracting Parties of simplified proofs of origin, made out by approved exporters, to the Agreement between the European Economic Community, of the one part, and the Swiss Confederation, of the other part.](#)

Table of contents

| | | |
|-----|---|----|
| 1. | External Relations of the EU | 3 |
| 2. | UE-Swiss Relations..... | 5 |
| 3. | External borders, Immigration, Asylum, Security and Defence Policy..... | 6 |
| 4. | Judicial Cooperation in Civil Matters (Lugano/Brussels Conventions)..... | 8 |
| 5. | Police and Judicial Cooperation in Criminal Matters | 9 |
| 6. | Internal Market (Free Movement of Goods/Customs Union/Persons/Services/Capital)..... | 9 |
| 7. | Competition, Commerce, Commercial Enterprises, Banks..... | 11 |
| 8. | Public Procurement..... | 15 |
| 9. | Economic and Financial Affairs, Taxation..... | 16 |
| 10. | Industrial and Intellectual Property | 17 |
| 11. | Human rights, Data Protection, Consumer Affairs..... | 18 |
| 12. | Telecommunications, Education and Training, Research and Technology..... | 19 |
| 13. | Transport, Environment and Energy..... | 21 |

Subheadings

1. International Agreements
2. Acts of Joint Committees
3. Community Legislation
4. Preparatory Acts, Reports, Calls
5. Case Law
6. Competition Proceedings (only under chapter 7)

1. External Relations of the EU

1.1 International Agreements

1.2 Acts of Joint Committees

Decisions of the European Economic Area Joint Committee.

Decisions of the EEA Joint Committee

[O.J. of the EU, L 306, 24.11.2005](#)

1.3 Community Legislation

Commission Regulation (EC) n° 1949/2005 of 28 November 2005 **amending** Regulation (EC) n° 1917/2000 with regard to **specific movements** and the **exclusion** of **trade** relating to **repair transactions**.

Trading of goods with Non-Member Countries.

[O.J. of the EU, L 312/10, 29.11.2005](#)

EFTA Surveillance Authority Decision n° 144/05/COL of 17 June 2005 **amending**, for the 50th time, the **Procedural and Substantive Rules** in the **Field of State Aid**, by re-enacting Chapter 17a: **short-term export-credit insurance**.

State aid, procedural and substantive rules

[O.J. of the EU, L 294/09, 10.11.2005](#)

Corrigendum to Commission Decision 2005/759/EC of 27 October 2005 concerning **certain protection measures** in relation to **highly pathogenic avian influenza** in certain **third countries** and the movement from **third countries** of **birds** accompanying **their owners**.

Corrigendum, protection measures, avian influenza, movement from third countries of birds accompanying their owners (not applicable to Swiss owners.)

Commission Decision of 27 October 2005 concerning **certain protection measures** in relation to **highly pathogenic avian influenza** in certain **third countries** and the movement from **third countries** of **birds accompanying their owners**.
(Text with EEA relevance).

[O.J. of the EU, L 291/48, 05.11.2005](#)

Commission Decision of 27 October 2005 laying down rules for the **procurement of food aid** by NGOs authorised by the Commission to purchase and mobilise products to be supplied under Council Regulation (EC) n° 1292/96 and repealing its Decision of 3 September 1998.

Procurement of food aid by NGO

[O.J. of the EU, L 291/24, 05.11.2005](#)

1.4 Preparatory Acts, Reports, Calls

Proposal for a Council Regulation amending Council Regulation (EC) No 384/96 on **protection against dumped imports from countries not members of the European Community**

Protection against dumped imports from third countries

[COM\(2005\)623 final, 30.11.2005](#)

Annual report from the Commission to the European Parliament on the **third country anti-dumping, anti-subsidy and safeguard action** against the community (2004).

Third country anti-dumping, anti-subsidy and safeguard action

[COM\(2005\)594 final, 23.11.2005](#)

Opinion of the European Economic and Social Committee on the **General agreement on trade in services (GATS)** — Mode 4 negotiations (movement of physical persons).

General agreement on trade in service (GATS)

[O.J. of the EU, C 286/28, 17.11.2005](#)

Opinion of the European Economic and Social Committee on the Proposal for a Regulation of the European Parliament and of the Council on **compulsory licensing of patents** relating to the **manufacture of pharmaceutical products for export to countries with public health problems**.

Compulsory licensing of patents, manufacturing of pharmaceutical products for export to countries with public health problems

[O.J. of the EU, C 286/04, 17.11.2005](#)

Proposal for a Council decision on the adoption of **Agreement** on Duty-free Treatment of **Multi-Chip Integrated Circuits (MCPs)**.

Duty free treatment, multi-chip integrated circuits

Proposal for a Council decision on the acceptance of the Agreement on **Duty-Free Treatment of Multi-Chip Integrated Circuits (MCPs)**.

[COM\(2005\)538 final, 28.10.2005](#)

1.5 Case Law

2. UE-Swiss Relations

2.1 International Agreements

2.2 Acts of Joint Committees

2.3 Community Legislation

2.4 Preparatory Acts, Reports, Calls

News. Integration Office DFA/DEA.

EU_CH, news, Integration Office, DFA/DEA

[Integration Office DFA/DEA](#)

Message of the Federal Council: **Bilateral Agreements II** Switzerland–EU

EU-CH, bilateral agreements

[Bilateral Agreements II CH – EU](#)

Proposal for a Council decision on a Community position within the Joint Committee on a recommendation on the reimportation of originating products and on the acceptance by the Contracting Parties of **simplified proofs of origin**, made out by **approved exporters**, to the Agreement between the European Economic Community, of the one part, and the Swiss Confederation, of the other part.

EU-CH, Simplified proofs of origin, reimportation of originating products.

[COM\(2005\)527 final, 08.11.2005](#)

2.5 Case Law

3. External borders, Immigration, Asylum, Security and Defence Policy

3.1 International Agreements

3.2 Acts of Joint Committees

3.3 Community Legislation

Council Decision 2005/848/EC of 29 November 2005 implementing Article 2(3) of Regulation (EC) n° 2580/2001 on **specific restrictive measures** directed against **certain persons** and entities with a view to **combating terrorism** and repealing Decision 2005/722/EC.

Specific restricted measures directed against certain persons, combating terrorism

[O.J. of the EU, L 314/46, 30.11.2005](#)

Council common Position 2005/847/CFSP of 29 November 2005 updating Common Position 2001/931/CFSP on the **application of specific measures to combat terrorism** and repealing Common Position 2005/725/CFSP.

Specific measures to combat terrorism

[O.J. of the EU, L 314/41, 30.11.2005](#)

Commission Regulation (EC) n° 1957/2005 of 29 November 2005 amending Council Regulation (EC) n° 2580/2001 on **specific restrictive measures** directed against **certain persons** and **entities** with a view to **combating terrorism**.

Specific restrictive measures directed against certain persons and entities, combating terrorism

[O.J. of the EU, L 314/16, 30.11.2005](#)

Commission Regulation (EC) n° 1956/2005 of 29 November 2005 amending for the 58th time Council Regulation (EC) n° 881/2002 imposing **certain specific restrictive measures** directed against certain persons and entities associated with **Usama bin Laden**, the **Al-Qaida network** and the **Taliban**, and repealing Council Regulation (EC) No 467/2001.

Certain specific restrictive measures, Usama bin Laden, Al-Qaida network and the Taliban

[O.J. of the EU, L 314/14, 30.11.2005](#)

Commission Regulation (EC) n° 1825/2005 of 9 November 2005 amending for the 57th time Council Regulation (EC) n° 881/2002 imposing **certain specific restrictive measures** directed against **certain persons and entities associated** with **Usama bin Laden**, the **Al-Qaida network** and the **Taliban**, and repealing Council Regulation (EC) n° 467/2001.

Certain specific restrictive measures, Usama Bin Laden, Al-Qaida network, Taliban

[O.J. of the EU, L 294/05, 10.11.2005](#)

Directive 2005/60/EC of the European Parliament and the Council of 26 October on the **prevention** of the use of the **financial system** for the **purpose of money laundering and terrorist financing**.
(Text with EEA relevance).

Money laundering for the purpose of terrorist financing

[O.J. of the EU, L 309/15, 25.11.2005](#)

Regulation (EC) n° 1889/2005 of the European Parliament and the Council of 26 October 2005 on **controls of cash entering or leaving the Community**.

Controls of cash entering or leaving the Community

[O.J. of the EU, L 309/09, 25.11.2005](#)

3.4 Preparatory Acts, Reports, Calls

Communication from the Commission to the Council and the European Parliament. **Priority actions for responding to the challenges of migration: First follow-up to Hampton Court**

Priority actions for responding to the challenges of migration. Hampton Court

[COM\(2005\)621 final, 30.11.2005](#)

Green paper on the future of the European migration network.

European migration network, Green paper

[COM\(2005\)606 final, 28.11.2005](#)

Opinion of the European Economic and Social Committee on the **Green paper on an EU approach to managing economic migration**.

Managing economic migration, Green paper

[O.J. of the EU, C 286/20, 17.11.2005](#)

Administrative Commission of the European Communities on social security for migrant workers. **Rates for conversion of currencies pursuant to Council Regulation (EEC) n° 574/72.**

Conversion of currencies, rates (including Swiss francs)

[O.J. of the EU, C 277/12, 10.11.2005](#)

Commission Communication to the Council, the European Parliament and the European Economic and Social Committee. The Prevention of and Fight against **Terrorist Financing** through enhanced national level coordination and **greater transparency** of the **non-profit sector**.

The Prevention and Fight against Terrorist Financing. Greater transparency

[COM\(2005\)620 final, 29.11.2005](#)

Proposal for a Council Regulation imposing **specific restrictive measures** against certain **persons suspected** of involvement in the **assassination** of former **Lebanese Prime Minister Rafiq Hariri**.

Specific restrictive measures against persons suspected of involvement in the assassination of former Lebanese Prime Minister

[COM\(2005\)614 final, 28.11.2005](#)

Green paper on a **European programme for critical infrastructure protection**.

Critical infrastructure protection, acts of terrorism, natural disasters

[COM\(2005\)576 final, 17.11.2005](#)

3.5 Case Law

4. Judicial Cooperation in Civil Matters (Lugano/Brussels Conventions)

4.1 International Agreements

4.2 Acts of Joint Committees

4.3 Community Legislation

4.4 Preparatory Acts, Reports, Calls

418th plenary session held on 8 and 9 June 2005. Opinion of the European Economic and Social Committee on the Proposal for a Directive of the European Parliament and of the Council on **certain aspects of mediation in civil and commercial matters**.

Mediation in civil and commercial matters

[O.J. of the EU, C 286/01, 17.11.2005](#)

4.5 Case Law

Case C-443/03, Leffler. **Judicial cooperation in civil matters – Service of judicial and extrajudicial documents** – No translation of the document – Consequences.

Area of freedom, security and justice

[Curia, Case C-443/03, 08.11.2005](#)

5. Police and Judicial Cooperation in Criminal Matters

5.1 International Agreements

5.2 Acts of Joint Committees

5.3 Community Legislation

5.4 Preparatory Acts, Reports, Calls

5.5 Case Law

6. Internal Market (Free Movement of Goods/Customs Union/Persons/Services/Capital)

6.1 International Agreements

6.2 Acts of Joint Committees

6.3 Community Legislation

6.4 Preparatory Acts, Reports, Calls

Implementing the Community Lisbon programme.
Proposal for a decision of the European Parliament and of the Council on a **paperless environment for customs and trade**.
(Presented by the Commission).

Paperless environment for customs and trade

[COM\(2005\)609 final, 30.11.2005](#)

Implementing the Community Lisbon programme.
Proposal for a regulation of the European Parliament and of the Council laying down the **Community Customs Code** (Modernized Customs Code).
(Presented by the Commission).

Community Customs Code

[COM\(2005\)608 final, 30.11.2005](#)

Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on addressing the **concerns of young people in Europe** — implementing the European Pact for **Youth and promoting active citizenship**.

Promoting active citizenship

[O.J. of the EU, C 292/05, 24.11.2005](#)

Call for proposals — DG EAC n° 59/05. **Community action programme to support bodies working in the field of active European citizenship**.

Call for proposals, active European citizenship Community action programme. Concerns as well EEA/EFTA countries

«Annual work programme of a body which **pursues an aim of general European interest in the field of active European citizenship** or an **objective forming part of the European Union's activities** in this area».

[O.J. of the EU, C 275/13, 08.11.2005](#)

6.5 Case Law

Case C-366/04, Schwarz. **Free movement of goods** — **Quantitative restrictions** — **Measures having equivalent effect** — National legislative provision prohibiting the sale of non-packaged confectionery from vending machines — **Hygiene of foodstuffs**.

Free movement of goods

[Curia, Case C-366/04, 24.11.2005](#)

Case C-432/03, Commission of European Communities / Portugal. Failure of a Member State to fulfil obligations — Articles 28 EC and 30 EC — Directive 89/106/EEC — Decision 3052/95/EC — **National approval procedure** — Failure to take account of approval certificates drawn up in other Member States — Construction products.

Free movement of goods

[Curia, Case C-432/03, 10.11.2005](#)

Case C-392/02, Commission of European Communities / Denmark. Failure of a Member State to fulfil obligations — Communities' own resources — **Customs duties legally owing not subsequently recovered** following an error by the **national customs authorities** — **Financial liability of Member States**.

Customs duties, Communities own resources

[Curia, Case C-392/02, 15.11.2005](#)

7. Competition, Commerce, Commercial Enterprises, Banks

7.1 International Agreements

7.2 Acts of Joint Committees

7.3 Community Legislation

Commission Regulation n° (EC) n° 1910/2005 of 8 November 2005 amending Regulation (EC) n° 1725/2003 adopting certain **international accounting standards** in accordance with Regulation (EC) n° 1606/2002 of the European Parliament and of the Council, as regards International Financial Reporting Standard 1 and 6, IASs 1, 16, 19, 24, 38, and 39, International Financial Reporting Interpretations Committee's Interpretations 4 and 5. (Text with EEA relevance).

International accounting standards

[O.J. of the EU, L 305/04, 24.11.2005](#)

Commission Regulation n° (EC) n° 1864/2005 of 15 November 2005 amending Regulation (EC) n° 1725/2003 adopting certain **international accounting standards** in accordance with Regulation (EC) n° 1606/2002 of the European Parliament and of the Council, as regards International Financial Reporting Standard n° 1 and International Accounting Standards Nos. 32 and 39. (Text with EEA relevance).

International accounting standards

[O.J. of the EU, L 299/45, 16.11.2005](#)

Commission Decision of 28 November 2005 on the application of Article 86(2) of the EC Treaty to State aid in the form of **public service compensation granted** to certain **undertakings entrusted** with the **operation of services of general economic interest**.

Public service compensation granted to certain undertakings

[O.J. of the EU, L 312/67, 29.11.2005](#)

Commission Directive 2005/81/EC of 28 November 2005 amending Directive 80/723/EEC on the **transparency of financial relations** between Member States and **public undertakings** as well as on **financial transparency** within **certain undertakings**. (Text with EEA relevance).

Public undertakings, financial transparency

[O.J. of the EU, L 312/47, 29.11.2005](#)

Directive 2005/56/EC of the European Parliament and the Council of 26 October on **cross-border mergers of limited liability companies**.

(Text with EEA relevance).

[O.J. of the EU, L 310/01, 25.11.2005](#)

Cross-border mergers, limited liability companies

Decision n° 1776/2005/EC of the European Parliament and of the council of 28 September 2005 AMENDING Council Decision 2000/819 /EC on a **multiannual programme for enterprise and entrepreneurship** and in particular for small and medium-size enterprises (SMEs) (2001 to 2005). (Text with EEA relevance).

[O.J. of the EU, L 289/14, 03.11.2005](#)

Multiannual programme enterprise and entrepreneurship

7.4 Preparatory Acts, Reports, Calls

Annotated presentation of **regulated markets and national provisions implementing relevant requirements of ISD** (93/22/EEC).

[O.J. of the EU, C 300/23, 30.11.2005](#)

Regulated markets, national provisions, requirement of

Opinion of the European Economic and Social Committee on the **scope and effects of company relocations**.

[O.J. of the EU, C 294/45, 25.11.2005](#)

Company relocations

Opinion of the European Economic and Social Committee on the Proposal for a Directive of the European Parliament and of the Council amending Council Directives 78/660/EEC and 83/349/EEC concerning the **annual accounts** of certain **types of companies** and **consolidated accounts**.

[O.J. of the EU, C 294/04, 25.11.2005](#)

Consolidated accounts, certain types of companies

419th plenary session held on 13 and 14 July 2005.
Opinion of the European Economic and Social Committee on the Proposal for a Directive of the European Parliament and of the Council amending Council Directive 77/91/EEC, as regards the **formation of public limited liability companies** and the **maintenance and alteration** of their **capital**.

[O.J. of the EU, C 294/01, 25.11.2005](#)

Public limited liability companies, maintenance and alteration of capital

Extract from the winding-up decision according to Article 14 of Directive 2001/17/EC of the European Parliament and of the Council of 19 March 2001 on the **reorganisation and winding-up of insurance undertakings** concerning INGO BALTIC UADB.

Extract from winding-up decision, insurance undertakings, INGO BALTIC UADB

[O.J. of the EU, C 289/03, 22.11.2005](#)

Opinion of the European Economic and Social Committee on **Information and measurement instruments for corporate social responsibility (CSR) in a globalised economy.**

Information and measurement instruments for corporate social responsibility (CSR) in a globalised economy

[O.J. of the EU, C 286/12, 17.11.2005](#)

Communication from the Commission to the Council, the European Parliament, the European economic and social committee and the committee of the regions. Implementing the Community Lisbon programme **modern SME policy for growth and employment.**

Small and medium-sized enterprises (SME), growth and employment

[COM\(2005\)551 final, 10.11.2005](#)

Communication from the Commission to the Council, the European Parliament and the European economic and social committee on the work of the **EU Joint Transfer Pricing Forum on transfer pricing documentation for associated enterprises** in the EU.

EU joint transfer pricing documentation, associated enterprise

Proposal for a **code of conduct on transfer pricing documentation for associated enterprises** in the EU.

[COM\(2005\)543 final, 07.11.2005](#)

Proposal for a Council regulation repealing Council Regulation (EEC) 3181/78 and Council Regulation (EEC) 1736/79 in the area of **Monetary Policy.**

Monetary policy

[COM\(2005\)611 final, 30.11.2005](#)

7.5 Case Law

Case T-64/02, Heubach / Commission of the European Communities. **Competition – Cartel – Zinc phosphate market** – Fine – Guidelines on the method of setting fines – Action for annulment – Objection of illegality – Gravity of the infringement – **Principles of proportionality and equal treatment** – Statement of reasons.

Competition

[Curia, Case T-64/02, 29.11.2005](#)

Case T-62/02, Union Pigments / Commission of the European Communities. **Competition – Cartel – Zinc phosphate market** – Fine – Gravity and duration of the infringement – **Principles of proportionality and equal treatment** – Action for annulment.

Competition

[Curia, Case T-62/02, 29.11.2005](#)

Case T-52/02, SNCZ / Commission of the European Communities. **Competition – Cartel – Zinc phosphate market** – Fine – **Principles of proportionality and equal treatment** – Action for annulment.

Competition

[Curia, Case T-52/02, 29.11.2005](#)

Case T-33/02, Britannia Alloys & Chemicals / Commission of the European Communities. **Competition – Cartel – Zinc phosphate market** – Fine – Relevant turnover – Action for annulment.

Competition

[Curia, Case T-33/02, 29.11.2005](#)

Case C-384/02, Grøngaard and Bang. Directive 89/592/EEC – **Insider dealing – Disclosure of inside information to third parties – Prohibition.**

Insider dealing,
disclosure of inside
information to third
parties, prohibition

[Curia, Case C-384/02, 22.11.2005](#)

Case C-331/04, ATI EAC and Others. **Public service contracts** — Directives 92/50/EEC and 93/38/EEC — Award criteria — The **economically most advantageous tender** — Observance of **award criteria** set out in the contract documents or the **contract notice** — Establishment of subheadings for one of the **award criteria** in the **contract documents** or the **contract notice** — Decision to apply weighting — **Principles of equal treatment of tenderers and transparency.**

Law relating to undertakings, public service contracts

[Curia, Case C-331/04, 24.11.2005](#)

Case C-29/04, Commission of the European Communities / Austria. Failure of a Member State to fulfil obligations — Procedure for the **award of public service contracts** — **Contract relating to waste disposal** — Absence of call for tenders.

Law relating to undertakings, public service contracts

[Curia, Case C-29/04, 10.11.2005](#)

7.6 Competition Proceedings (only under chapter 7)

Prior notification of a concentration (Case COMP/M.4029 — Kuehne + Nagel/ACR Logistics). Candidate case for simplified procedure. (Text with EEA relevance).

Prior notification of a concentration, Kuehne + Nagel International ("K+N", Switzerland)

[O.J. of the EU, C 292/09, 24.11.2005](#)

8. Public Procurement

8.1 International Agreements

8.2 Acts of Joint Committees

8.3 Community Legislation

8.4 Preparatory Acts, Reports, Calls

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on **Public-Private Partnerships and Community Law on Public Procurement and Concessions.**

Public-private partnerships, Community law on public procurement and concessions

[COM\(2005\)569 final, 15.11.2005](#)

8.5 Case Law (see also under chapter 7.5)

9. Economic and Financial Affairs, Taxation

9.1 International Agreements

9.2 Acts of Joint Committees

9.3 Community Legislation

9.4 Preparatory Acts, Reports, Calls

Opinion of the European Economic and Social Committee on the Proposal for a Council Directive amending Directive 77/388/EEC on the **common system of value added tax**, with regard to the **length** of time during which the **minimum standard rate** is to be **applied**.

Common system of value added tax

[O.J of the EU, C 294/54, 25.11.2005](#)

Commission Communication. **Intra-EU investment in financial services' sector**.

Intra-EU investment in financial services' sector

[O.J. of the EU, C 293/02, 25.11.2005](#)

Implementation of the community Lisbon programme. Communication from the Commission to the Council and the European Parliament. The contribution of **taxation and Customs Policies** to the Lisbon Strategy.

Taxation and customs policies

[COM\(2005\)532 final, 25.10.2005](#)

9.5 Case Law

Case C-197/04, Commission of the European Communities / Germany. Failure of a Member State to fulfil obligations — **Tax on the consumption of manufactured tobacco** — **Separate taxation of cigarettes and rolls of tobacco** 'West Single Packs'.

Taxation

[Curia, Case C-197/04, 10.11.2005](#)

10. Industrial and Intellectual Property

10.1 International Agreements

10.2 Acts of Joint Committees

10.3 Community Legislation

10.4 Preparatory Acts, Reports, Calls

10.5 Case Law

Case T-346/04, Sadas / Office for Harmonisation in the Internal Market (OHMI) - LTJ Diffusion (ARTHUR ET FELICIE). **Community trade mark – Opposition proceedings** – Application for Community word mark ARTHUR ET FELICIE – Earlier figurative mark including the word element “Arthur” – Relative ground of refusal – **Likelihood of confusion.**

Intellectual Property,
Community trade mark

[Curia, Case T-346/04, 24.11.2005](#)

Case T-135/04, GfK / Office for Harmonisation in the Internal Market (OHMI) - BUS (Online Bus). **Community trade mark – Application for the Community word mark Online Bus** – Earlier figurative trade mark composed of the word “BUS” and a figure made up of three interlaced triangles – Genuine use of the earlier mark – **Likelihood of confusion.**

Intellectual Property,
Community trade mark

[Curia, Case T-135/04, 24.11.2005](#)

Case T-3/04, Simonds Farsons Cisk / Office for Harmonisation in the Internal Market (OHMI) - Spa Monopole (KINJI by SPA). **Community trade mark – Opposition procedure – Application for registration of a Community figurative mark containing the verbal element “KINJI by SPA”** – Earlier Community word mark KINNIE – **Likelihood of confusion.**

Intellectual Property,
Community trade mark

[Curia, Case T-3/04, 24.11.2005](#)

Case T-396/04, Soffass / Office for Harmonisation in the Internal Market (OHMI) - Sodipan (NICKY). **Community trade mark** — Opposition proceedings — **Application for Community figurative mark containing the verbal element “NICKY”** — Earlier national figurative marks containing the verbal element ‘NOKY’ — Rejection of opposition for absence of likelihood of confusion — Annulled by the Board of Appeal — **Remittal to the Opposition Division to examine whether the goods are similar and the proof of use.**

Intellectual Property,
Community trade mark

[Curia, Case T-396/04, 23.11.2005](#)

Case T-154/03, Biofarma / Office for Harmonisation in the Internal Market (OHMI) - Bausch & Lomb Pharmaceuticals (ALREX). **Community trade mark** — Opposition proceedings — **Earlier national word mark ARTEX** — Application for Community word mark ALREX — Relative ground for refusal — **Likelihood of confusion.**

Intellectual Property,
Community trade mark

[Curia, Case T-154/03, 17.11.2005](#)

Case T-275/03, Focus Magazin Verlag / **Office for Harmonisation in the Internal Market (OHMI).** **Community trade mark** — **Opposition proceedings** — Application for **Community word mark Hi-FOCuS** — Earlier national word mark FOCUS — Scope of the examination conducted by the Board of Appeal — Assessment of evidence produced before the Board of Appeal.

Intellectual Property,
Community trade mark

[Curia, Case T-275/03, 09.11.2005](#)

11. Human rights, Data Protection, Consumer Affairs

11.1 International Agreements

11.2 Acts of Joint Committees

11.3 Community Legislation

11.4 Preparatory Acts, Reports, Calls

Opinion of the European Data Protection Supervisor on the proposal for a Directive of the European Parliament and of the Council on the **retention of data processed in connection with the provision of public electronic communication services** and amending Directive 2002/58/EC.

Retention of data processed, provision of public electronic communication services

[O.J. of the EU, C 298/01, 29.11.2005](#)

11.5 Case Law

12. Telecommunications, Education and Training, Research and Technology

12.1 International Agreements

12.2 Acts of Joint Committees

12.3 Community Legislation

Commission Directive 2005/80/EC of 21 November 2005 amending Council Directive 76/768/EEC, concerning **cosmetic products**, for the purposes of **adapting** Annexes II and III thereto to **technical progress**.
(Text with EEA relevance).

Cosmetic products, technical progress

[O.J. of the EU, L 303/32, 22.11.2005](#)

Council Recommendation of 12 October 2005 to **facilitate** the **admission of third-country nationals** to carry out **scientific research** in the European Community.

Facilitate admission, third-country nationals, scientific research

[O.J. of the EU, L 289/26, 03.11.2005](#)

Recommendation of the European Parliament and of the Council of 28 September 2005 to **facilitate** the **issue** by the Member States of **uniform short-stay visas for researchers from third countries** travelling within the Community for the purpose of **carrying out scientific research**.

Uniform short-stay visas, researchers, third countries (also concerns Switzerland)

[O.J. of the EU, L 289/23, 03.11.2005](#)

Council Directive 2005/71/EC of 12 October 2005 on a **specific procedure for admitting third-country nationals for the purposes of scientific research.**

Admitting, third-country nationals, scientific research

[O.J. of the EU, L 289/15, 03.11.2005](#)

12.4 Preparatory Acts, Reports, Calls

Notice of call for proposals **INFISO-MEDIA 11/2005. MEDIA – Training (2001-2006).**

**Call for proposals
INFISO-MEDIA**

[O.J. of the EU, C 288/19, 19.11.2005](#)

Call for proposals – DG INFISO n° 09/05 MEDIA PLUS. Support for the development of production projects (“**MEDIA New Talent**”, **single projects and slate funding**).

**Call for proposals,
MEDIA New Talent**

[O.J. of the EU, C 280/15, 12.11.2005](#)

Commission communication in the framework of the implementation of Directive 94/9/EC on the **approximation** of the **laws** of the Member States concerning **equipment** and **protective systems** intended for use in **potentially explosive atmospheres** – 2004. (Text with EEA relevance).

Equipment and roective systems, potentially explosive atmospheres

[O.J. of the EU, C 300/29, 30.11.2005](#)

Opinion of the European Economic and Social Committee on **Chemicals legislation** – REACH.

Chemicals legislation

[O.J. of the EU, C 294/38, 25.11.2005](#)

Commission Communication in the framework of the **implementation** of **Council directive 73/23/EEC**. (Text with EEA relevance).

List, European Standardisation, electrical equipment

[O.J. of the EU, C 284/01, 16.11.2005](#)

Call for proposals for indirect RTD actions under the specific programme for research, technological development and demonstration: “structuring the European Research Area”.

Science and Society — **Bringing research closer to society**
— Promoting science and scientific culture.

Call for proposals
indirect RDT, research,
technological
development and
demonstration, bringing
research closer to society

[O.J. of the EU, C 300/39, 30.11.2005](#)

Call for proposals for indirect RTD actions under the specific programme for research, technological development and demonstration: “structuring the European Research Area”.

Science and Society — **Science Shops.**

Call for proposals
indirect RTD research,
technological
development and
demonstration, Science
shops

[O.J. of the EU, C 282/09, 15.11.2005](#)

Information procedure — Technical rules.
(Text with EEA relevance).

Technical rules,
information procedure

[O.J. of the EU, C 300/02, 30.11.2005](#)

Information procedure — Technical rules.
(Text with EEA relevance).

Technical rules,
information procedure

[O.J. of the EU, C 274/02, 05.11.2005](#)

12.5 Case Law

13. Transport, Environment and Energy

13.1 International Agreements

13.2 Acts of Joint Committees

13.3 Community Legislation

Directive 2005/64/EC of the European Parliament and of the Council of 26 October 2005 on the **type-approval** of **motor vehicles** with regard to their reusability, **recyclability** and **recoverability** and amending Council Directive 70/156/EEC.

**Type-approval of motor
vehicles recyclability**

[O.J. of the EU, L 310/10, 25.11.2005](#)

Directive 2005/66/EC of the European Parliament and of the Council of 26 October 2005 relating to the **use of frontal protection systems on motor vehicles** and amending Council Directive 70/156/EEC.

Use of frontal protection system, motor vehicles

[O.J. of the EU, L 309/37, 25.11.2005](#)

Commission Directive 2005/83/EC of 23 November 2005 amending, for the purposes of their adaptation to technical progress, Annexes I, VI, VII, VIII, IX and X to Council Directive 72/245/EEC relating to the **radio interference (electromagnetic compatibility) of vehicles**.
(Text with EEA relevance).

Radio interference of vehicles

[O.J. of the EU, L 305/32, 24.11.2005](#)

Commission Decision of 13 October 2005 amending Decision 2005/180/EC on authorising Member States to adopt certain derogations pursuant to Council Directive 96/49/EC with regard to the **transport of dangerous goods by rail**.
(Text with EEA relevance).

Transport of dangerous goods by rail

[O.J. of the EU, L 293/23, 09.11.2005](#)

Regulation (EC) n° 1775/2005 of the European Parliament and the Council of 28 September 2005 on **conditions for access to the natural gas transmission networks**.
(Text with EEA relevance).

Natural gas transmission network access

[O.J. of the EU, L 289/01, 03.11.2005](#)

Convention on assistance in the case of a nuclear accident or radiological emergency.

Convention, nuclear accident, radiological emergency

[O.J. of the EU, L 314/28, 30.11.2005](#)

Commission Decision of 25 November 2005 concerning the accession of the European Atomic Energy Community to the Convention on assistance in the case of a **Nuclear Accident or Radiological Emergency**.

[O.J. of the EU, L 314/27, 30.11.2005](#)

Convention on **early notification** of a **nuclear accident**.

Convention on early
notification, nuclear
accident

[O.J. of the EU, L 314/22, 30.11.2005](#)

Commission Decision of 25 November 2005 concerning the accession of the European Atomic Energy Community to the **Convention on Early notification of a Nuclear Accident**.

[O.J. of the EU, L 314/21, 30.11.2005](#)

Commission Directive 2005/78/EC of 14 November 2005 implementing Directive 2005/55/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the **measures** to be taken against the **emission of gaseous and particulate pollutants** from **compression-ignition engines** for use in **vehicles**, and the **emission of gaseous pollutants** from **positive ignition engines fuelled with natural gas or liquefied petroleum gas** for use in **vehicles** and amending Annexes I, II, III, IV and VI thereto.
(Text with EEA relevance).

**Measures to be taken
against the emission of
gaseous and particulate
pollutants**

[O.J. of the EU, L 313/01, 29.11.2005](#)

Directive 2005/59/EC of the European Parliament and of the Council of 26 October 2005 amending for the 28th time Council Directive 76/769/EEC on the **approximation** of the **laws, regulations and administrative provisions** of the Member States relating to **restrictions on the marketing and use of certain dangerous substances and preparations (toluene and trichlorobenzene)**.
(Text with EEA relevance).

**Dangerous substances
and preparations,
(toluene and
trichlorobenzene)**

[O.J. of the EU, L 309/13, 25.11.2005](#)

Commission Decision of 18 November 2005 adopting **Community import decisions for certain chemicals pursuant** to Regulation (EC) n° 304/2003 of the European Parliament and of the Council and amending Decision 2000/657/EC.
(Text with EEA relevance).

**Community import,
certain chemicals**

[O.J. of the EU, L 304/46, 23.11.2005](#)

Commission Regulation (EC) n° 1911/2005 of 23 November amending Annex I to Council Regulation (EEC) n° 2377/90 laying down a **Community procedure** for the establishment of **maximum residue** limits of **veterinary medicinal products in foodstuffs of animal origin**, as regards **flugestone acetate**.
(Text with EEA relevance).

Veterinary medicinal products in foodstuffs of animal origin

[O.J. of the EU, L 305/30, 24.11.2005](#)

Council Regulation (EC) n° 1905/2005 of 14 November 2005 amending Regulation (EC) n° 297/95 on **fees payable to the European Medicines Agency**.

Fees payable to the European Medicines Agency

[O.J. of the EU, L 304/01, 23.11.2005](#)

Commission Directive 2005/79/EC of 18 November 2005 amending Directive 2002/72/EC relating to **plastic materials and articles** intended to come into **contact with food**.
(Text with EEA relevance).

Plastic materials and articles to come into contact with food

[O.J. of the EU, L 302/35, 19.11.2005](#)

Commission Decision of 11 November 2005 concerning the non-inclusion of **naled** in Annex I to Council Directive 91/414/EEC and the **withdrawal** of authorisations for **plant protection** products containing that **substance**.
(Text with EEA relevance).

Non-inclusion of naled, withdrawal of authorisations for plant protection products containing that substance

[O.J. of the EU, L 296/41, 12.11.2005](#)

Commission Decision of 8 November 2005 on the **purchase and storage of foot-and-mouth disease virus antigens**.

Foot and mouth disease virus, antigens purchase and storage

[O.J. of the EU, L 294/07, 10.11.2005](#)

Commission Decision of 28 October 2005 recognising in principle the completeness of the dossiers submitted for **detailed examination** in view of the **possible inclusion** of **aminopyralid** and **fluopicolide** in Annex I to Council Directive 91/414/EEC.
(Text with EEA relevance).

List of active substances, placing of plant protection on the market

[O.J. of the EU, L 293/26, 09.11.2005](#)

Commission Directive 2005/76/EC of 8 November 2005 amending Council Directives 90/642/EEC and 86/362/EEC as regards the **maximum residue levels of kresoxim-methyl, cyromazine, bifenthrin, metalaxyl and azoxystrobin fixed therein.**
(Text with EEA relevance).

Maximum levels for pesticide residues in and on cereals

[O.J. of the EU, L 293/14, 09.11.2005](#)

Commission Decision of 28 October 2005 amending Decision 2001/618/EC to include the **department of Ain, France**, in the list of regions free of **Aujeszky's disease.**
(Text with EEA relevance).

French department of Ain, free of Aujeszky's disease

[O.J. of the EU, L 290/27, 04.11.2005](#)

13.4 Preparatory Acts, Reports, Calls

Publication of decisions by Member States to **grant or revoke operating licenses** pursuant to Article 13(4) of Council Regulation (EEC) n° 2407/92 on **licensing of air carriers.**
(Text with EEA relevance)

Licensing of air carriers

[O.J. of the EU, C 295/15, 26.11.2005](#)

Publication of decisions by Member States to **grant or revoke operating licenses** pursuant to Article 13(4) of Council Regulation (EEC) n° 2407/92 on **licensing of air carriers.**
(Text with EEA relevance).

Licensing of air carriers

[O.J. of the EU, C 295/14, 26.11.2005](#)

Publication of decisions by Member States to **grant or revoke operating licenses** pursuant to Article 13(4) of Council Regulation (EEC) n° 2407/92 on **licensing of air carriers.**
(Text with EEA relevance).

Licensing of air carriers

[O.J. of the EU, C 295/11, 26.11.2005](#)

Communication from the Commission to the Council on the **project to develop the new generation European air traffic management system (SESAR)** and the establishment of the SESAR Joint Undertaking.

New generation European air traffic management system (SESAR), establishment of the SESAR joint undertaking

Proposal for a Council Regulation on the establishment of a Joint Undertaking to develop the new generation European air traffic management system (SESAR).

[COM\(2005\)602 final, 25.11.2005](#)

Communication from the Commission to the Parliament pursuant to the second subparagraph of Article 251 (2) of the EC Treaty concerning the Common Position of the Council on the adoption of a Directive of the European Parliament and of the Council on a **Community Air Traffic Controller Licence**.

Community Air Traffic Controller Licence

[COM\(2005\)574 final, 15.11.2005](#)

Common position (EC) n° 33/2005 of 6 September 2005 with a view to adopting Directive 2005/.../EC of the European Parliament and of the Council of...amending Directive 1999/62/EC on the **charging of heavy goods vehicles** for the use of **certain infrastructures**.

Charging heavy goods vehicles

[O.J. of the EU, C 275 E/01, 08.11.2005](#)

Public presentation of the **preliminary findings** of the **energy sector inquiry**.
(Text with EEA relevance).

Preliminary finding of the energy sector inquiry

[O.J. of the EU, C 300/35, 30.11.2005](#)

Common position (EC) n° 34/2005 adopted by Council on 23 September 2005 with a view to the adoption of a Directive 2005/.../EC of the European Parliament and of the Council of ... on **energy end-use efficiency and energy services** and repealing Council Directive 93/76/EEC.

Energy end-use efficiency

[O.J. of the EU, C 275 E/19, 08.11.2005](#)

Communication from the Commission to the Council and the European Parliament **Global Monitoring for Environment and Security (GMES): From Concept to Reality.**

Global monitoring, environment and security (GMES)

[COM\(2005\)565 final, 10.11.2005](#)

Report from the Commission to the Council and the European Parliament. Report of the Commission on the implementation of Directive 96/61/EC **concerning integrated pollution prevention and control.**

Integrated pollution prevention and control

[COM\(2005\)540 final, 03.11.2005](#)

Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on **Pandemic Influenza Preparedness and Response Planning** in the European Community.

Pandemic Influenza Preparedness, Response Planning

[COM\(2005\)607 final, 28.11.2005](#)

Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on **strengthening coordination on generic preparedness planning for public health emergencies** at EU level.

Strengthening coordination on generic preparedness, public health emergencies

[COM\(2005\)605 final, 28.11.2005](#)

Summary of Community decisions on **marketing authorizations** in respect of **medicinal products** from 1 October 2005 to 31 October 2005.

Marketing authorizations, medicinal products

[O.J. of the EU, C 293/11, 25.11.2005](#)

Proposal for a Regulation of the European Parliament and the Council on **advanced therapy medicinal products** and amending Directive 2001/83/EC and Regulation (EC) n° 726/2004.

Advanced therapy medicinal products

[COM\(2005\)567 final, 16.11.2005](#)

Commission Communication in the **framework of implementation** of Council Directive 93/42/EEC concerning **medical advices**.
(Text with EEA relevance).

Communication, medical advices, standardisation

[O.J. of the EU, C 275/05, 08.11.2005](#)

13.5 Case Law

Case C-320/03, Commission of the European Communities / Austria. Failure by a Member State to fulfil its obligations – **Free movement of goods – Transport – Sectoral prohibition** on the **movement of lorries** of more than 7.5 tonnes carrying certain goods – **Air quality – Protection of health** and the **environment – Proportionality principle**.

Transport, movement of lorries, environment and health

[Curia, Case C-320/03, 15.11.2005](#)

Case C-385/04, Commission of the European Communities / United Kingdom. Failure of a Member State to fulfil obligations – Directive 2001/16/EC – Trans-European Networks – **Interoperability of the trans-European conventional rail system** – Failure to transpose within the period prescribed.

Transport, Trans-European networks

[Curia, Case C-385/04, 10.11.2005](#)

Case T-250/02, Autosalone Ispra / Commission of the European Communities. **EAEC Treaty – Non-contractual liability – Overflowing drain**.

EAEC Treaty, non-contractual liability, overflowing drain

[Curia, Case T-250/02, 30.11.2005](#)

Case T-178/05, United Kingdom / Commission of the European Communities. Environment – Directive 2003/87/EC – **Scheme for greenhouse gas emission allowance trading – Proposed amendment to national allocation plan** – Refusal by the Commission – Action for annulment.

Environment, greenhouse gas emission allowance trading

[Curia, Case T-178/05, 23.11.2005](#)

Case C-131/05, Commission of the European Communities / United Kingdom. **Failure to fulfil obligations** — Directives 79/409/EEC and 92/43/EEC.

Environment, birds directive and the habitats directive

[Curia, Case C-131/05, 17.11.2005](#)