

**Re:**

Appeal against the judgment of the Court of First Instance (First Chamber) of 5 July 2005 in Case T-387/02 *Schmidt-Brown v Commission* dismissing the action for annulment of the Commission's decision of 26 April 2002 rejecting the applicant's request for financial assistance from the Commission in a defamation action brought by the applicant against a company before the High Court of Justice (England and Wales).

**Operative part**

The Court:

1. Dismisses the appeal;
2. Orders Ms Schmidt-Brown to bear the costs.

**Order of the Court (Fifth Chamber) of 6 October 2006 —  
De Graaf and Daniels v Belgische Staat**

**(Case C-436/05)**

Preliminary references — Inadmissibility

*Preliminary rulings — Whether admissible — Questions referred without sufficient explanation of the factual and legislative context — Questions referred in a context making a useful answer impossible (Art. 234 EC) (see paras 7-11)*

**Re:**

Reference for a preliminary ruling — Hof van beroep te Antwerpen — Interpretation of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, as amended and updated by Council Regulation (EC) No 118/97 of 2 December 1996 (OJ 1997 L 28, p. 1) — Material scope — Whether applicable or not to a supplementary crisis contribution levied by a Member State to finance its social security system — Obligation to pay the contribution even where a person is liable to pay contributions to a social security system other than that of the State of residence — Whether compatible with Article 39 EC.

**Operative part**

The reference for a preliminary ruling from the Hof van beroep te Antwerpen, by decision of 29 November 2005, is inadmissible.

**Judgment of the Court (Sixth Chamber) of 26 October 2006 —  
Commission v Italy**

**(Case C-198/05)**

Failure to fulfil obligations — Directive 92/100/EEC — Rights related to copyright in the field of intellectual property — Public lending right — Failure to transpose within the period prescribed