



ORDER OF THE PRESIDENT OF THE COURT

23 October 1998

(Withdrawal of a request for an Advisory Opinion)

In Case E-4/98,

Blyth Software Ltd. v AlphaBit AS

With respect to a request for an Advisory Opinion by Oslo City Court (Oslo byrett) by order of that court of 14 May 1998 in the case of *Blyth Software Ltd. v AlphaBit AS*,

THE PRESIDENT OF THE COURT

makes the following

ORDER

A request was made to the EFTA Court by an order of 14 May 1998 by Oslo byrett, which was received at the Court Registry on 2 June 1998, for an Advisory Opinion in the case of *Blyth Software Ltd. v AlphaBit AS*, on the following questions:

1. Is it incompatible with Article 4 EEA for a national procedural rules to empower a Norwegian court to decide, at the request of a defendant, that a company with its place of business (domicile) in another EEA country than Norway must provide security for costs when it brings an action against a company with its place of business (domicile) in Norway, when such provision of security cannot be required from legal persons with their place of business (domicile) in Norway?

2. If such a requirement is not, as a starting proposition, compatible with the EEA Agreement, is Article 4 EEA nonetheless to be interpreted to the effect that a requirement for provision of security for costs can be justified (proportional) on the basis of the intended purposes and objective foundation?

On 19 October 1998, after the plaintiff before the national court had withdrawn its case, Oslo byrett notified the Court that it withdrew its request for an Advisory Opinion.

Costs have not been claimed or incurred before the EFTA Court.

On those grounds,

THE PRESIDENT OF THE COURT

hereby orders:

Case E-4/98 is removed from the Register.

Luxembourg, 23 October 1998

Bjørn Haug
President

Gunnar Selvik
Registrar