

# UNDERSTANDING EU INTERNAL MARKET LAW

**Norbert REICH**

Emeritus Professor, Faculty of Law, University of Bremen

**Annette NORDHAUSEN SCHOLES**

School of Law, University of Manchester

**Jeremy SCHOLES**

The City Law School, City University London, J.P. Scholes,  
Solicitor, Consultant, Walker Morris LLP



intersentia

Cambridge – Antwerp – Portland

Intersentia Ltd  
Sheraton House | Castle Park  
Cambridge | CB3 0AX | United Kingdom  
Tel.: +44 1223 370 170 | Email: mail@intersentia.co.uk

*Distribution for the UK:*  
NBN International  
Airport Business Centre, 10 Thornbury Road  
Plymouth, PL6 7 PP  
United Kingdom  
Tel.: +44 1752 202 301 | Fax: +44 1752 202 331  
Email: orders@nbninternational.com

*Distribution for the USA and Canada:*  
International Specialized Book Services  
920 NE 58th Ave. Suite 300  
Portland, OR 97213  
USA  
Tel.: +1 800 944 6190 (toll free)  
Email: info@isbs.com

*Distribution for Austria:*  
Neuer Wissenschaftlicher Verlag  
Argentinierstraße 42/6  
1040 Wien  
Austria  
Tel.: +43 1 535 61 03 24  
Email: office@nwv.at

*Distribution for other countries:*  
Intersentia Publishing nv  
Groenstraat 31  
2640 Mortsel  
Belgium  
Tel.: +32 3 680 15 50  
Email: mail@intersentia.be

Understanding EU Internal Market Law  
Norbert Reich, Annette Nordhausen Scholes and Jeremy Scholes

© 2015 Intersentia  
Cambridge – Antwerp – Portland  
www.intersentia.com | www.intersentia.co.uk

Artwork on cover: Fresco depicting Europe on the Bull (Rape of Europa), Naples, National Archaeological Museum © 2015. Photo Scala, Florence/Fotografica foglia – courtesy of the Ministero Beni e Att. Culturali

ISBN 978-90-5095-747-2  
D/2015/7849/46  
NUR 828

British Library Cataloguing in Publication Data. A catalogue record for this book is available from the British Library.

No part of this book may be reproduced in any form, by print, photoprint, microfilm or any other means, without written permission from the publisher.

## PREFACE

This book is not an introduction to EU law. Those already exist in plenty, and this book does not wish simply to add to the weight of literature. Nor does this book deal with the complex interrelation between the various EU institutions involved in making and implementing the law. Indeed, it takes these for granted. And if the approach might be criticised as positivistic, it would be preferable to call it realistic. Its focus is on the substantive law of the internal market in a functional sense – the strongest, most developed and most original part of EU law.

For this book is concerned with EU internal market law in terms of its objectives, principles and methods. Its starting point is the famous wording of the European Court of Justice (ECJ), now Court of Justice of the EU (CJEU – both abbreviations to be used interchangeably), in *Costa v ENEL*,<sup>1</sup> that the “EEC Treaty has created its own legal system which ... became an integral part of the legal systems of the Member States and which their courts are bound to apply”. Was the Court being overly optimistic in pronouncing these words 50 years ago in a somewhat trifling setting?

Perhaps that is the case, but with hindsight it seems that in the meantime they have been accepted by the “old” Member States, although not without some difficulty. Moreover, the acceding 13 “new” Member States (the accession of Croatia in July 2013 being the latest) had to integrate this important statement into their own legal orders. That is certainly no easy task. And so, this book aims to contribute to the process of *Europeanisation* in applying the law.

*Understanding EU Internal Market Law* means a number of things. It means, first of all, comprehending its legal peculiarities. These include its sources, instruments, methods of interpretation, effects, and the relationship between Union (formerly Community) and national law (*Introductory Chapter*). It also means always respecting what the case law of the ECJ (now CJEU) and the General Court (called the “Court of First Instance” before the entry of force of the Lisbon Treaty (TEU) on 1 December 2009) and secondary legislation have already achieved, because these can only be modified and avoided at the EU, not at a national, level. This is the so-called *acquis communautaire*.

But that is only the starting point. For beyond it lies the field of personal application of EU law, now considerably widened. That is, from simply a law for market citizens, EU law has become the law for *all citizens and residents* living in

---

<sup>1</sup> Case 6/64 Flaminco *Costa v Enel* [1964] ECR 585.

Member States. Thus, EU law determines their everyday rights and duties beyond existing national law (*Chapter I*). This is based on the principle of *equal treatment*.

The next step consists of the original liberal *esprit des lois* of EU law. This is about the opening of and regulating markets through the free movement (*Chapter II*) and competition rules (*Chapter III*). However, the liberalising process has now become *two-sided*, in that it is supplemented by an ever-growing set of what will be called *adequate standards* (*Chapter IV*). This process includes rules on non-discrimination, and a concept of fundamental rights both with regard to substance and procedure.

In addition, the generous grant of autonomy (*Chapter V*) is part of the *liberalising yet regulated* force of EU law which provoked substantial changes in legal application and thinking in all Member States. It has been extended to cover EU rules on intellectual property, an area gaining ever more importance, both with regard to property and to user rights in the information society.

To complete the picture, we have the elements of governance and liability (*Chapter VI*), developed mostly by the case law of the ECJ, but increasingly now also by legislation. However, this field remains incomplete and certainly subject to change in the future as legal integration continues. It is closely linked to Member States and their courts of law under the principle of sincere cooperation (Article 4 (3) TEU).

Why is it, then, that the EU depends so heavily on its legal structures, principles and methods, particularly in a context of political crisis, distrust between Member States, and scepticism of citizens vis-à-vis the very ideas behind the EU project? The short answer is that European integration is *integration by law* – indeed, law plays the leading role. This is because the EU is not and may never be a federal state with sovereign powers to extend its constitutional mandate and to implement the law by itself. Its effectiveness depends crucially on cooperation with Member States, and notably with their courts of law. Indeed, it is in these very courts that the true *European judges* sit, in that it is they who must understand what EU law is all about – linked in the judicial network of the reference procedure of Article 267 TFEU with the ECJ. And it is lawyers, legal experts, and law students who must help them to fulfil this role or, even better, fulfil it themselves.

In doing so, they will keep in mind the main characteristic of European internal market law. It consists not just of economic but also of social and to a great extent of constitutional law. That is, the more it becomes an *integral part* of national law, the less it is visible as a distinct legal order. This, in turn, aids more effective integration of national law and European law. In this way, EU law is like the blueprint for a new house: the more the final building conforms to the blueprint, the less one needs to refer to it, but in some cases one must take a hard look at the blueprint to make sure the final building conforms.

This book introduces that blueprint both meaningfully and clearly. To achieve this aim, it deliberately avoids a complete description of all areas of EU internal market law in detail. It therefore excludes such policy areas as agriculture and transportation despite their importance for the internal market. Such other important yet highly specialised areas like taxation (whether its relation to the free movement principles or its legislative enactments), state aid and merger control also had to be omitted.

Rather, this book paints a comprehensive picture through characteristic examples. These consist of distinct concepts, methods and principles that EU internal market law has developed, and that need to be kept in mind when working with questions of its application and interpretation. The examples chosen demonstrate the aspects of EU internal market law that have often led to friction with existing national law. Indeed, the interfaces between national and EU internal market law should always be remembered when working on the fault lines between these two distinct yet interdependent legal orders.

It should also be kept in mind that EU internal market law, despite being a cornerstone of the entire EU legal order, is still an *incomplete legal order*, in that sometimes it only proposes broad principles without telling us how these should be implemented. This is particularly true with regard to judicial protection as a mere *obligation de moyens* on the one hand, and a (still missing) theory of *legal duties* of citizens on the other. The effort to fill the gaps is central to understanding EU internal market law. Hopefully, this book will contribute to the never-ending task of making EU internal market law truly a system of its own, thus fulfilling the ambitious *Costa* pronouncement, and also secure its acceptance in new Member countries which, after accession to the EU, fully participate in the European integration process.

The book, now a joint work by three authors from different jurisdictions, but still continuing the general approach of the first two editions of 2003 and 2005, refers to new Union Treaties adopted by the Lisbon Council. The “Lisbon Treaty” (TEU) of 13 December 2007<sup>2</sup> entered into force on 1 December 2009, and was taken over by Croatia when it became a Member State on 1 July 2013. The Charter of Fundamental Rights of the EU has become an integral part of EU law and has the same value as the Treaties. The EC Treaty was renamed the Treaty on the Functioning of the European Union (TFEU); the substantive internal market law, which underwent only minor changes, must therefore be applied and interpreted under the already existing *acquis*. The law is stated as of the end of 2014; sometimes later developments could only briefly be referred to. The extensive case law of the ECJ has been documented with its most important decisions. Judgments of the General Court and Commission practice have been cited mostly with regard to competition law in Chapter III; their role in the

---

<sup>2</sup> OJ C 306 of 17.12.2007; consolidated version in C 115 of 09.05.2008.

other parts of the book is rather limited. The abundant secondary EU law, in particular directives, has been referred to quite selectively where it is the expression of particular orientations of internal market law. This did not prevent the authors from sometimes taking a critical stand against prevailing opinions in legal writing or case law and making proposals for change or reform.

The present publication is a completely revised, extended and updated version of its predecessor versions by Norbert Reich, *Understanding EU Law: Objectives, Principles and Methods of Community Law*, 2003/2005, profiting from the inclusion of two new authors working in the UK, namely Jeremy Scholes on Chapter III: Competition Law and Annette Nordhausen Scholes on Chapter V: Autonomy with a special §17 on Intellectual Property Law in the EU: Autonomy Revisited. Norbert Reich has completely rewritten his Introduction and Chapter I on Citizenship and Free Movement, Chapter II on Open Markets, Chapter IV on Adequate Standards, and Chapter VI on Liability and Judicial Governance in the EU. Jeremy Scholes cooperated with Norbert Reich in drafting parts of 20.4–20.10 on competition damages.

Norbert Reich wishes to acknowledge the encouragement by his colleague and friend Hans Micklitz, European University Institute Florence, during the entire process of writing the relevant chapters of the book. His comments, particularly on the introduction, helped clarify the role of EU law as an autonomous, mostly judge-made legal order in its sometimes complex and controversial relationship to national law.

We also acknowledge with very deep gratitude our considerable debts to two friends and former students of Annette's and Jeremy's at the University of Sheffield, both of them winners of the Prix Joggerst: Mark English (of Shearman & Sterling LLP in Brussels) who made exceptionally helpful comment on abuse of dominant position and competition law and the state in §11; and Nick Aries (of Bird & Bird LLP in London) who made extremely helpful comments on §17 (intellectual property). Jeremy Scholes would also like to thank his colleagues Trudy Feaster-Gee and Shaukat Ali at Walker Morris LLP and colleagues at Walker Morris LLP more generally for asking him interesting questions over the years. We all wish to thank Theodosia Stavroulaki of EUI Florence for preparing the index.

Each author is of course fully responsible for his/her own arguments and sections. We have endeavoured to state and discuss the legislation and case law as at the end of 2014 and occasionally beyond that date.

March 2015

Norbert Reich  
Annette Nordhausen Scholes  
Jeremy Scholes

# CONTENTS

<i>Preface</i> .....	v
<i>Table of Cases</i> .....	xi
<i>Table of Secondary Legislation</i> .....	xxxix
<i>List of Abbreviations</i> .....	xlix

## **Introduction**

Norbert REICH .....	1
---------------------	---

§1. The Concept and Importance of the Internal Market in the Different Stages of Development of the Union .....	1
§2. Sources and Methods of Union Law .....	21
§3. Union and Member State Law .....	55

## **Chapter I.**

### **Citizenship and Free Movement**

Norbert REICH .....	83
---------------------	----

§4. The Economic Origin of Citizenship: Market Citizens .....	83
§5. The Concept of Union Citizenship: Present Position .....	101
§6. Free Movement, New Member States, Association Countries, Turkish and Third Country Nationals .....	127

## **Chapter II.**

### **Open Markets**

Norbert REICH .....	155
---------------------	-----

§7. Free Movement (1): The Member States' Trust and Support Mission ...	155
§8. Free Movement (2): The EU and its Legislative and Supervisory Mission .....	197

## **Chapter III.**

### **Competition Law**

Jeremy SCHOLÉS .....	221
----------------------	-----

§9. Competition Law: Introduction, the Modern Economic Approach to Competition Law, and an Overview .....	221
---	-----

§10. Article 101 TFEU: Anti-Competitive Agreements . . . . .	253
§11. Articles 102 and 106 (2) TFEU: Abuse of Dominant Position . . . . .	309
<b>Chapter IV.</b>	
<b>Adequate Standards</b>	
Norbert REICH . . . . .	369
§12. Non-Discrimination . . . . .	369
§13. Fundamental Rights and Principles . . . . .	409
§14. Judicial Protection . . . . .	451
<b>Chapter V.</b>	
<b>Autonomy</b>	
Annette NORDHAUSEN SCHOLLS . . . . .	491
§15. Autonomy in Primary Law . . . . .	491
§16. Autonomy in Secondary Law Instruments and Documents . . . . .	513
§17. Intellectual Property Law in the EU: Autonomy Revisited . . . . .	555
<b>Chapter VI.</b>	
<b>Liability and Judicial Governance in the EU</b>	
Norbert REICH . . . . .	603
§18. Liability in the Union Legal Order as an Element of Governance . . . . .	603
§19. Liability of Member States as an Element of Judicial Governance . . . . .	621
§20. The Case of “Market Actor Liability” as an Element of Judicial Governance . . . . .	641
§21. Responsibility and Liability of Citizens: A Blind Spot? . . . . .	679
<i>Index</i> . . . . .	693



# TABLE OF CASES

## COURT OF JUSTICE OF THE EUROPEAN UNION (ECJ/CJEU)

- 7/61 *Commission v Italy* [1961] ECR 317: 19.2  
16 + 17/62 *Confédération nationale des producteurs de fruits et légumes et al. v Council* [1962] 471: **14.27**  
25/62 *Plaumann & Co. v Commission* [1963] ECR 95: **14.26**  
26/62 *Van Gend en Loos v Administratie van Belastingen* [1963] ECR 1: 1.1, 2.5  
6/64 *Flaminio Costa v ENEL* [1964] ECR 585: **3.1**  
56 + 58/64 *Établissements Consten SàRL and Grundig-Verkaufs-GmbH v Commission* [1966] ECR 299: **1.1, 9.10, 17.13**  
56/65 *Société Technique Minière (LTM) v Maschinenbau Ulm GmbH (MBU)* [1966] ECR 235: 10.28, **10.47, 15.15**  
5, 7, 13–24/66 *Kampffmeyer et al. v Commission* [1967] ECR 245: 18.6  
14/68 *Walt Wilhelm et al. v Bundeskartellamt* [1969] ECR 1: 15.10  
29/69 *Erich Stauder v City of Ulm – Sozialamt* [1969] ECR 419: **13.2**  
48/69 *Imperial Chemical Industries Ltd v Commission* [1972] ECR 619: 10.24, 10.26  
11/70 *Internationale Handelsgesellschaft mbH v Einfuhr- und Vorratsstelle für Getreide und Futtermittel* [1970] ECR 1125: 3.3, 3.6, 13.2  
22/70 *Commission v Council* [1971] ECR 263 (ERTA): 2.1, **3.14**  
78/70 *Deutsche Grammophone v Metro* [1971] ECR 631: 15.24  
5/71 *Aktien-Zuckerfabrik Schöppenstedt v Council* [1971] ECR 975: **18.6**  
6/72 *Europemballage Corporation and Continental Can Company Inc. v Commission* [1973] ECR 215: 9.27, **11.13**  
8/72 *Vereeniging van Cementhandelaren v Commission* [1972] ECR 977: 10.29  
4/73 *Nold v Commission* [1974] ECR 491: **13.2**  
6 + 7/73 *Istituto Chemioterapico Italiano SpA and Commercial Solvents v Commission* [1974] ECR 223: 11.36  
40/73 *Suiker Unie v Commission* [1975] ECR 1663: 10.19, 10.23, 11.27  
127/73 *BRT v SV SABAM* [1974] ECR 313: 20.5  
155/73 *Sacchi* [1974] ECR 409: 7.14, 8.6  
192/73 *Van Zuylen v Hag AG* [1974] ECR 731: 17.5  
8/74 *Procureur du Roi v Dassonville* [1974] ECR 837: 7.6  
15/74 *Centrafarm BV and Adriaan de Peijper v Sterling Drug Inc.* [1974] ECR 1147: **17.6**  
16/74 *Centrafarm BV and Adriaan de Peijper v Winthrop BV* [1974] ECR 1183: 17.6  
26/74 *Roquette Frères v Commission* [1976] ECR 677: 18.7  
33/74 *Van Binsbergen v Bestuur van de Bedrijfsvereniging voor de Metaalnijverheid* [1974] ECR 1299: 2.14, **7.16, 21.4**

- 36/74 Walrave and Koch v Association Union Cycliste Int. *et al.* [1974] ECR 1405: 4.1  
41/74 Van Duyn v Home Office [1974] ECR 1337: 2.5, 2.8  
74/74 Comptoir national technique agricole (CNTA) SA v Commission [1976] ECR 796: 18.6  
32/75 Christini v SNCF [1975] ECR 1085: 4.7  
43/75 Gabrielle Defrenne v Société anonyme belge de navigation aérienne Sabena [1976] ECR 455: 2.7, 2.24, 12.7  
48/75 Royer [1976] ECR 497: 4.11  
104/75 Adriaan de Pijper [1976] ECR 613: 7.6  
119/75 Terrapin Overseas v Terranova [1976] ECR 1039: 17.5  
12/76 Industrie Tessili Italiano Como v Dunlop AG [1976] ECR 1473: 2.17  
14/76 A. De Bloos, SPRL v Société en commandite par actions Bouyer [1976] ECR 1497: 14.5  
26/76 Metro-SB-Großmärkte GmbH & Co. KG v Commission [1977] ECR 1875: 10.47  
27/76 United Brands Company and United Brands Cont. BV v Commission [1978] ECR 207: 9.27, 11.15, 11.31, 11.38, 11.42, 11.51  
33/76 Rewe v Landwirtschaftskammer für das Saarland [1976] ECR 1989: 14.1, 20.2  
45/76 Comet BV v Produktschap voor Siergewassen [1976] ECR 2043: 14.1, 19.9, 20.2  
64/76 Dumortier Frères *et al.* v Council [1979] ECR 3091: 18.7  
83 + 94/76, 4,15 and 40/77 HNL v Council and Commission [1978] ECR 1209: 18.6  
85/76 Hoffmann-La Roche AG v Commission [1979] ECR 461: 11.15, 11.18, 11.27, 11.43, 11.44, 15.20  
13/77 GB-INNO-BM v ATAB [1977] ECR 2115: 10.19  
30/77 R v Bouchereau [1977] ECR 1999: 2.18  
102/77 Hoffmann-La Roche v Centrafarm [1978] ECR 1139: 17.12  
106/77 Amministrazione delle finanze dello Stato v Simmenthal [1978] ECR 629: 3.1  
116 + 124/77 Amylum v Council and Commission [1979] ECR 3497: 18.6  
150/77 Bertrand v Paul Ott KG [1978] ECR 1431: 14.10  
3/78 Centrafarm BV v American Home Products Corp. [1978] ECR 1823: 17.12  
22/78 Hugin Kassaregister AB and Hugin Cash Register Ltd v Commission [1979] ECR 1869: 9.29  
110 + 111/78 Ministère public *et al.* v Van Wesemael [1979] ECR 35: 7.18  
120/78 Rewe-Zentral AG v Bundesmonopolverwaltung für Branntwein (*Cassis de Dijon*) [1979] ECR 649: 1.2, 7.6, 16.37  
133/78 Gourdain v Nadler [1979] ECR 733: 14.5  
207/78 Criminal proceedings against Even [1979] ECR 2019: 4.7  
209/78 Van Landewyck v Commission [1980] ECR 3125: 10.19  
258/78 L.C. Nungesser KG and Kurt Eisele v Commission [1982] ECR 2015: 15.24, 17.13  
5/79 Procureur Général v Buys *et al.* [1979] ECR 3203: 10.19  
15/79 Groenveld [1979] ECR 3409: 7.11  
16–20/79 Criminal proceedings against Danis [1979] ECR 3327: 7.7  
52/79 Procureur du Roi v Debauve [1980] ECR 833: 8.6  
62/79 Coditel *et al.* v Ciné Vog Films *et al.* [1980] ECR 881: 17.11, 17.36  
125/79 Denilauer v SNC Couchet Frères [1980] ECR 1553: 14.5  
155/79 AM & S Europe Ltd v Commission [1982] ECR 1575: 13.8  
815/79 Criminal proceedings against Cremonini and Vrankovich [1980] ECR 3583: 8.5

- 55 + 57/80 Musik-Vertrieb Membran v Gesellschaft für musikalische Aufführungsrechte GEMA [1981] ECR 147: 17.5, 17.34, 17.35
- 58/80 Dansk Supermarked A/S v A/S Imerco [1981] ECR 181: 17.11
- 96/80 Jenkins v Kingsgate (Clothing Productions) Ltd [1981] ECR 911: 12.12
- 155/80 Summary proceedings against Oebel [1981] ECR 1993: 7.7
- 158/80 Rewe-Handelsgesellschaft Nord mbH et Rewe-Markt Steffen v Hauptzollamt Kiel [1981] ECR 1805: 1.2, 19.2
- 203/80 Criminal proceedings against Casati [1981] ECR 2595: 7.1, 15.6
- 244/80 Pasquale Foglia v Mariella Novello [1981] ECR 3045: 14.20
- 279/80 Criminal proceedings against Webb [1981] ECR 3305: 7.18
- 15/81 Gaston Schul v Inspecteur der Invoerrechten en Accijnzen, Roosendaal (*Schul*) [1982] 1409: 1.1
- 26/81 Oleifici Mediterranei v European Economic Community [1982] ECR 3057: 18.7
- 53/81 Levin v Staatssecretaris van Justitie [1982] ECR 1035: 2.15, 4.4
- 65/81 Reina v Landeskreditbank Baden-Württemberg [1982] ECR 33: 4.7
- 75/81 Blesgen v Belgium [1982] ECR 1211: 7.6
- 102/81 Nordsee Deutsche Hochseefischerei GmbH v Reederei Mond Hochseefischerei Nordstern AG & Co. KG [1982] ECR 1095: 14.20
- 115 + 116/81 Adoui and Cornuaille v Belgium [1982] ECR 1665: 4.5
- 246/81 Nicholas William, Lord Bethell v Commission [1982] 2277: 14.27, 18.11
- 249/81 Commission v Ireland [1982] ECR 4005: 7.5
- 262/81 Coditel SA Compagnie générale pour la diffusion de la télévision, *et al.* v Ciné-Vog Films SA *et al.* [1982] ECR 3381: 17.14, 17.36
- 283/81 Srl CILFIT and Lanificio di Gavardo SpA v Ministry of Health [1982] ECR 3415: 2.14, 14.19
- 322/81 Nederlandsche Banden-Industrie Michelin v Commission [1983] ECR 3461: 11.15, 11.18, 11.28, 11.44
- 11/82 SA Piraiki-Patraiki *et al.* v Commission [1985] ECR 207;
- 199/82 Amministrazione delle finanze dello Stato v San Giorgio [1983] ECR 3595: 14.1
- 201/82 Gerling Konzern Speziale Kreditversicherungs-AG v Amministrazione del Tesoro dello Stato [1983] ECR 2503: 14.5
- 264/82 Timex Corporation v Council and Commission [1985] ECR 849: 2.14, 14.26
- 286/82 + 26/83 Luisi & Carbone v Ministero del Tesoro [1984] ECR 377: 4.13, 7.4, 7.23, 15.6
- 288/82 Ferdinand M.J.J. Duijnstee v Lodewijk Goderbauer [1983] ECR 3663: 14.9
- 14/83 Von Colson and Kamann v Land Nordrhein-Westfalen [1984] ECR 1891: 3.22, 12.17
- 16/83 Criminal proceedings against Prantl [1984] ECR 1299: 7.6
- 37/83 Rewe Zentrale v Landwirtschaftskammer Rheinland [1984] ECR 1229: 3.18
- 72/83 Campus Oil v Minister for Industry and Energy [1984] ECR 2727: 7.3
- 93/83 Gravier v City of Liège [1985] ECR 593: 4.15, 11.25, 11.39, 12.4
- 123/83 BNIC v Clair [1985] ECR 391: 10.22
- 145/83 Stanley George Adams v Commission [1985] ECR 3539: 18.6
- 169/83 and 136/84 Leussink-Brummelhuis v Commission [1986] ECR 2801: 18.7
- 229/83 Leclerc v Au blé vert [1985] ECR 1: 13.3

- 240/83 Procureur de la République v Association de Défense de Brûleurs de Huiles Usagers [1985] ECR 531: 1.4
- 267/83 Diatta v Land Berlin [1985] ECR 567: 4.9
- 298/83 CICCE v Commission [1985] ECR 1105: 9.3, 9.32
- 19/84 Pharmon BV v Hoechst AG [1985] ECR 2281: 17.11
- 48/84 Spitzley v Sommer Exploitation SA [1985] ECR 787: 14.5
- 103/84 Commission v Italy [1986] ECR 1749: 7.5
- 137/84 Criminal proceedings against Mutsch [1985] ECR 2681: 12.4
- 152/84 Marshall v Southampton and Southwest Hampshire Health Authority [1986] ECR 723: 3.22, 12.17
- 161/84 Pronuptia de Paris GmbH v Pronuptia de Paris Irmgard Schillgallis [1986] ECR 353: 10.47
- 178/84 Commission v Germany [1987] ECR 1227: 7.9, 16.42
- 205/84 Commission v Germany [1986] ECR 3755:
- 222/84 Marguerite Johnston v Chief Constable of Royal Ulster Constabulary [1986] ECR 1651: 14.2
- 311/84 Télémarketing (CBEM) v SA Compagnie luxembourgeoise de télédiffusion (CLT) and Information publicité Benelux (IPB) [1985] ECR 3261: 11.36
- 66/85 Lawrie-Blum v Land Baden-Württemberg [1986] ECR 2121: 4.4
- 79/85 D.H.M. Segers v Bestuur van de Bedrijfsvereniging en Verzekeringsswezen, Groothandel en Vrije Beroepen [1986] ECR 2375: 15.9
- 89/85 Ahlström OY v Commission [1993] ECR I-1307: 10.26
- 225/85 Commission v Italy [1987] ECR 2625: 4.4
- 311/85 VVR v Sociale Dienst van de Plaatselijke en Gewestelijke Overheidsdiensten [1987] ECR 3801: 10.19
- 314/85 Foto-Frost v Hauptzollamt Lübeck-Ost [1987] ECR 4199: 14.20, 18.10
- 316/85 Centre public d'aide sociale de Courcelles v Lebon [1987] ECR 2811: 4.7
- 352/85 Bond van Adverteerders v Netherlands [1988] ECR 2085: 7.15, 8.6
- 355/85 Driancourt v M. Cagnet [1986] ECR 3231: 274
- 12/86 Demirel v Stadt Schwäbisch Gmünd [1987] ECR 3719: 2.12, 6.11
- 24/86 Blaizot v University of Liège [1988] ECR 379: 12.4
- 39/86 Lair v Universität Hannover [1988] ECR 3161: 4.15
- 62/86 Akzo Chemie BV v Commission [1991] ECR I-3359: 9.34, 11.19, 11.21, 11.30, 11.45
- 136/86 BNIC v Aubert [1987] ECR 4789: 10.22
- 158/86 Warner Brothers Inc. and Metronome Video ApS v Erik Viuff Christiansen [1988] ECR 2605: 17.34, 17.36
- 222/86 Unectef v Heylens [1987] ECR 4097: 4.1, 14.1
- 263/86 Belgium v Humbel and Edel [1988] ECR 5365: 7.14
- 326/86 and 66/88 Francesconi *et al.* v Commission [1989] ECR 2087: 18.6
- C-30/87 Bodson v Pompes funèbres des régions libérées [1988] ECR 2479: 10.10
- 31/87 Gebroeders Beentjes v Netherlands [1988] ECR 4635: 8.20
- 45/87 Commission v Ireland [1988] ECR 4929: 8.15
- 46/87 and 227/88 Hoechst v Commission [1989] ECR 2859: 13.8
- 53/87 Consorzio italiano della componentistica di ricambio per autoveicoli CIRCA and Maxicar v Régie nationale des usines Renault [1988] ECR 6039: 17.7, 17.15

- 81/87 R v Treasury and Commissioners of Inland Revenue *ex parte* Daily Mail and General Trust [1988] ECR 5483: 7.27
- C-186/87 Cowan v Trésor public [1989] ECR 195: 4.13, 5.2, 7.4, 12.4
- C-189/87 Kalfelis v Bankhaus Schröder [1988] ECR 5565: 14.16
- C-238/87 Volvo v Veng [1988] ECR 6211: 174: 17.16
- C-266/87 R v Pharmaceutical Society *ex parte* API [1989] ECR 1295: 7.5
- C-301/87 France v Commission [1990] ECR I-307: 118, 122
- C-308/87 Grifoni v EAEC [1994] ECR I-341: 18.7
- C-341/87 EMI Electrola [1989] ECR 79: 17.35
- C-343/87 Culin v Commission [1990] ECR I-225: 18.7
- 344/87 I. Bettray v Staatssecretaris van Justitie [1989] ECR 1621: 4.4
- 379/87 Groener v Ministry of Education and the City of Dublin Vocational Committee [1989] ECR 3967: 4.7, 12.5
- 382/87 Buet *et al.* v Ministère public [1989] ECR 1235: 3.20
- C-395/87 Ministère Public v Tournier, C-241/88 Société des Auteurs Compositeurs et Editeurs de Musique (SACEM) v Debelle and C-110/88 Lucazeau v Société des Auteurs Compositeurs et Editeurs de Musique (SACEM) [1989] ECR 2521: 17.36
- 5/88 Wachauf v Bundesamt für Ernährung und Forstwirtschaft [1989] ECR 2609: 13.1
- C-49/88 Al-Jubail Fertiliser *et al.* v Council [1991] ECR I-3187: 13.8
- 103/88 Fratelli Costanzo SpA v Comune di Milano [1989] ECR 1839: 3.23
- C-143/88 and 92/89 Zuckerfabrik Süderdithmarschen AG v Hauptzollamt Itzehoe and Zuckerfabrik Soest GmbH v Hauptzollamt Paderborn [1991] ECR I-415: 14.22, 18.10
- 145/88 Torfaen Borough Council v B & Q plc [1989] ECR 3851: 7.7
- C-152/88 Sofrimport v Commission [1992] ECR I-153: 14.26, 18.6
- C-177/88 Dekker v Stichting Vormingscentrum voor Jong Volwassenen (VJV-Centrum) Plus [1990] ECR I-3941: 12.16
- C-262/88 Barber v Guardian Royal Echange Assurance Group [1990] ECR I-1889: 2.24, 12.7
- C-297/88 + 197/89 Dzodzi v Belgium [1990] ECR I-3763: 14.20
- C-322/88 Salvatore Grimaldi v Fonds des maladies professionnelles [1989] ECR 4407: 2.2
- C-362/88 GB-INNO-BM v Confédération du commerce luxembourgeois [1990] ECR I-667: 16.37
- C-10/89 SA CNL-SUCAL NV v HAG GF AG [1990] ECR I-3711: 17.5, 17.7
- C-23/89 Quietlynn and Richards v Southend Borough Council [1990] ECR I-3059: 7.7
- C-104/89 + C-37/90 Mulder *et al.* v Council and Commission [1992] ECR I-3061: 18.8
- C-106/89 Marleasing SA v La Comercial Internacional de Alimentación SA [1990] ECR I-4135: 3.23
- C-113/89 Rush Portuguesa v Office national d'immigration [1990] ECR I-1417: 4.6, 7.21
- C-184/89 Nimz v Freie und Hansestadt Hamburg [1991] ECR I-297: 12.8, 12.17
- C-188/89 Foster *et al.* v British Gas [1990] I-3313: 2.8
- C-190/89 Marc Rich and Co. AG v Società Italiana Impianti PA [1991] ECR I-3855: 16.23
- C-192/89 Sevince v Staatssecretaris van Justitie [1990] ECR I-3461: 2.12, 6.11
- C-213/89 R v Secretary of State for Transport *ex parte* Factortame Ltd *et al.* [1990] ECR I-2433: 3.1
- C-234/89 Delimitis v Henninger Bräu [1991] ECR I-935: 15.15
- C-260/89 ERT v DEP *et al.* [1991] ECR I-2925: 13.3, 16.38

- C-288/89 Stichting Collectieve Antennevoorziening Gouda v Commissariaat voor de Media [1991] ECR I-4007: 7.14
- C-292/89 R v Immigration Appeal Tribunal *ex parte* Antonissen [1991] ECR I-745: 2.15, 4.4
- C-300/89 Commission v Council [1991] ECR I-2867: 1.4
- C-309/89 Codorníu SA v Council [1994] ECR I-1853: 12.2, 14.26
- C-339/89 Alsthom Atlantique v Compagnie de construction mécanique Sulzer SA [1991] ECR I-107: 15.4
- C-340/89 Vlassopoulou v Ministerium für Justiz, Bundes- und Europaangelegenheiten Baden-Württemberg [1991] ECR I-2357: 4.12
- C-358/89 Extramet Industrie SA v Council [1991] ECR I-2501: 14.26
- C-361/89 Criminal proceedings against Di Pinto [1991] ECR I-1189: 3.20
- C-1 + 176/90 Aragonesa de Publicidad and Publivia v Departamento de Sanidad y Seguridad Social de la Generalitat de Cataluña [1991] ECR I-4151: 7.7
- C-6 + 9/90 Francovich *et al.* v Italy [1991] ECR I-5357: 2.3, 2.19, 14.1, 19.4, 19.9
- C-30/90 Commission v UK [1992] ECR 74: 15.24
- C-41/90 Höfner and Elser v Macroton [1991] ECR I-1979: 10.4, 10.5, 11.41
- C-76/90 Säger v Denemeyer & Co. Ltd [1991] ECR I-4221: 7.16
- C-159/90 Society for the Protection of Unborn Children (SPUC) v Stephen Grogan [1991] ECR I-4685: 7.15, 13.3, 15.5
- C-179/90 Merci Convenzionale Porto di Genova SpA v Siderurgica Gabrielli SpA [1991] ECR I-5889: 11.41
- C-208/90 Emmot v Minister for Social Welfare and Attorney General [1991] ECR I-4269: 12.17
- C-258 + 259/90 Pesquerias de Bermeo and Naviera Laida v Commission [1992] ECR I-2901: 18.7
- C-332/90 Steen v Deutsche Bundespost [1992] ECR I-341: 4.5, 15.10
- C-360/90 Arbeiterwohlfahrt der Stadt Berlin v Bötel [1992] ECR I-3589: 12.8
- C-369/90 Micheletti v Delegación del Gobierno en Cantabria [1992] ECR I-4239: 5.3
- C-370/90 R v Immigration Appeal Tribunal and Surinder Singh *ex parte* Secretary of State for the Home Department [1992] ECR I-4265: 4.10
- C-4/91 Bleis v Ministère de l'Éducation nationale [1991] ECR I-5627: 4.5
- C-97/91 Oleificio Borelli SpA v Commission [1992] ECR I-6313: 14.2
- C-112/91 Werner v Finanzamt Aachen-Innenstadt [1993] ECR I-429: 4.4
- C-155/91 Commission v Council [1993] ECR I-939: 1.4
- C-159 + 160/91 Poucet and Pistre v AGF and Cancava [1993] ECR I-637: 10.9
- C-200/91 Coloroll Pension Trustees Ltd v James Richard Russell *et al.* [1994] ECR I-4389: 12.17
- C-241 + 242/91P Radio Telefís Eireann (RTE) and Independent TV Publications Ltd (ITP) v Commission [1995] ECR I-743: 15.24, 17.17
- C-259, 331 + 332/91 Pilar Allué and Carmel Mary Coonan *et al.* v Università degli studi di Venezia and Università degli studi di Parma [1993] ECR I-4309: 12.5
- C-267 + 268/91 Criminal proceedings against Bernhard Keck and Daniel Mithouard [1993] ECR I-6097: 2.21, 7.7
- C-271/91 Marshall (II) v Southampton and South West Hampshire Area Health Authority [1993] ECR I-4367: 2.11, 12.17

- C-320/91 Criminal proceedings against Paul Corbeau [1993] ECR-2533: 11.59, 11.65
- C-19/92 Kraus v Land Baden-Württemberg [1993] ECR I-1663: 4.11, 4.15
- C-49/92P Commission v Anic Partecipazioni [1999] ECR I-4125: 10.6, 20.7
- C-91/92 Paola Faccini Dori v Recreb [1994] ECR I-3325: 2.10, 19.10
- C-92 + 326/92 Phil Collins v Imtrat Handelsgesellschaft mbH and Patricia Im- und Export Verwaltungsgesellschaft mbH and Leif Emanuel Kraul v EMI Electrola GmbH [1993] ECR I-5145: 12.4, 15.24, 17.7
- C-93/92 CMC-Motorradcenter v Pelin Baskiciogullari [1993] ECR I-5009: 7.7
- C-127/92 Enderby v Frenchay Health Authority and Secretary of State for Health [1993] ECR I-5535: 12.14
- C-128/92 H.J. Banks & Co. Ltd v British Coal Corporation [1994] ECR I-1209: 20.6
- C-272/92 Maria Chiara Spotti v Freistaat Bayern [1993] ECR I-5185: 12.5
- C-275/92 HM Customs and Excise v Schindler [1994] ECR I-1039: 7.14, 15.5
- C-292/92 Hünernmund v Landesapothekerkammer Baden-Württemberg [1993] ECR I-6787: 7.7
- C-315/92 Verband Sozialer Wettbewerb v Clinique Laboratories SNC and Estée Lauder Laboratoires GmbH [1994] ECR I-317: 7.9, 16.42
- C-364/92 SAT Fluggesellschaft mbH v Eurocontrol [1994] ECR I-43: 10.10
- C-379/92 Criminal proceedings against Peralta [1994] ECR I-3453: 12.3
- C-393/92 Gemeente Almelo *et al.* v NV Energiebedrijf IJsselmaatschappij [1994] ECR I-1477: 11.27, 11.65
- C-9/93 IHT Internationale Heiztechnik GmbH and Uwe Danzinger v Ideal Standard GmbH and Wabco Standard GmbH [1994] ECR I-2789: 17.7
- C-23/93 TV 10 v Commissariaat voor de Media [1994] ECR I-4795: 7.16
- C-32/93 Webb v EMO Air Cargo (UK) Ltd [1994] ECR I-3567: 12.11, 14.3
- C-46 + 48/93 Brasserie du Pêcheur v Germany and the R v Secretary of State for Transport *ex parte* Factortame Ltd [1996] ECR I-1029: 19.5, 19.9
- C-51/93 Meyhui v Schott Zwiesel Glaswerke AG [1994] ECR I-3879: 16.38
- C-68/93 Shevill *et al.* v Presse Alliance [1995] ECR I-415: 20.21
- C-280/93 Germany v Council [1994] ECR I-4973: 3.2
- C-310/93 BPB Industries and British Gypsum Ltd v Commission [1995] ECR I-865: 10.6, 11.36
- C-316/93 Vaneetveld v SA Le Foyer [1994] ECR 763: 2.10
- C-355/93 Eroglu v Land Baden-Württemberg [1994] ECR I-5113: 6.15
- C-384/93 Alpine Investments BV v Minister van Financiën [1995] ECR I-1141: 7.17
- C-392/93 R v HM Treasury *ex parte* British Telecommunications [1996] ECR I-1631: 19.7
- C-400/93 Specialarbejderforbundet i Danmark v Royal Copenhagen [1995] ECR I-1275: 12.15
- C-412/93 Société d'Importation Edouard Leclerc-Siplec v TF1 Publicité and M6 Publicité [1995] ECR I-179: 7.6
- C-415/93 Union royale belge sociétés de football association ASBL v Bosman [1995] ECR I-4921: 2.7, 4.4, 12.4, 15.7, 20.11
- C-427, C-429 + 436/93 Bristol-Meyers Squibb *et al.* v Paranova [1996] ECR I-3457: 2.18, 17.12
- C-430-432/93 Van Schijndel and Van Veen v Stichting Pensioenfonds voor Fysiotherapeuten [1995] ECR I-4705: 14.3

- C-434/93 *Boskurt v Staatssecretaris van Justitie* [1995] ECR I-1475: 6.15
- C-450/93 *Kalanke v Freie Hansestadt Bremen* [1995] ECR I-3051: 2.18, **12.13**
- C-457/93 *Kuratorium für Dialyse und Nierentransplantation v Lewark* [1996] ECR I-243: 12.8
- C-465/93 *Atlanta Fruchthandelsgesellschaft et al. v Bundesamt für Ernährung und Forstwirtschaft* [1995] ECR I-3761: 2.24, **14.22**
- C-470/93 *Verein gegen Unwesen in Handel und Gewerbe Köln v Mars GmbH* [1995] ECR I-1923: 7.9, 14.21, **16.42**, 21.2
- C-473/93 *Commission v Luxembourg* [1996] ECR I-3207: 3.6
- C-479/93 *Francovich (II) v Italy* [1995] ECR I-3843: 19.4
- C-484/93 *Svensson & Gustavsson v Ministre du Logement et de l'Urbanisme* [1995] ECR I-3955: 7.22
- C-5/94 *R v Ministry of Agriculture, Fisheries and Food ex parte Hedley Lomas (Ireland)* [1996] ECR I-2553: 19.2, 19.7
- C-13/94 *P v S and Cornwall County Council* [1996] ECR I-2143: **12.20**
- C-55/94 *Gebhard v Consiglio dell'Ordine degli Avvocati e Procuratori di Milano* [1995] ECR I-4165: 3.17, 4.12, 15.9
- C-84/94 *United Kingdom v Council* [1996] ECR I-5755: 3.19
- C-111/94 *Job Centre Coop. ARL* [1995] ECR I-3361: 14.20
- C-157/94 *Commission v Netherlands* [1997] ECR I-5699: 11.59, 11.65
- C-178/94 *Dillenkofer et al. v Germany* [1996] ECR I-4845: 19.5
- C-192/94 *El Corte Inglés v Cristina Blázquez Rivero* [1996] ECR I-1281: 2.11, 19.10
- C-193/94 *Criminal proceedings against Skanavi and Chryssanthakopoulos* [1996] ECR I-929: 5.6
- C-194/94 *CIA Security International SA v Signalson SA and Securitel SPRL* [1996] ECR I-2201: 2.11, **19.12**
- C-206/94 *Brennet v Paletta* [1996] ECR I-2357: 21.4
- C-214/94 *Boukhalfa v Bundesrepublik Deutschland* [1996] ECR I-2253: 5.6
- C-233/94 *Germany v European Parliament and Council* [1997] ECR I-2405: 3.19
- C-237/94 *O'Flynn v Adjudication Officer* [1996] ECR I-2617: 4.6
- C-283, 291 + 292/94 *Denkavit Int. BV et al. v Bundesamt für Finanzen* [1996] ECR I-5063: 19.7
- C-333/94P *Tetra Pak International v Commission* [1996] ECR I-5951: 11.32, 11.35, 11.36
- C-3/95 *Reisebüro Broede v Gerd Sandker* [1996] ECR I-6511: 7.20
- C-10/95P *Asocarne v Council* [1995] ECR I-4149: **18.9**
- C-15/95 *EARL de Kerlast v Union régionale de coopératives agricoles (Unicopa) and Coopérative du Trieux* [1997] ECR I-1961: 12.2
- C-34–36/95 *Konsumentombudsmannen (KO) v De Agostini (Svenska) Forlag AB and TV Shop Sverige AG* [1997] ECR I-3843: 7.10, **8.8**, 20.24
- C-42/95 *Siemens AG v Henry Nold* [1996] ECR I-6017: 20.18
- C-65 + 111/95 *R v Secretary of State for the Home Department ex parte Shingara and Radiom* [1997] ECR I-3343: 5.6
- C-68/95 *T. Port GmbH & Co. KG v Bundesanstalt für Landwirtschaft und Ernährung* [1996] ECR I-6065: 14.22
- C-74 + 129/95 *Criminal proceedings against X* [1996] ECR I-6609: 3.23



- C-106/95 Mainschiffahrts-Genossenschaft v Les Gravières Rhénanes SARL [1997] ECR I-911: 16.21
- C-120/95 Decker v Caisse de maladie des employés privés [1998] ECR I-1831: 7.4
- C-171/95 Tetik v Land Berlin [1997] ECR I-329: 6.14
- C-180/95 Draehmpaehl v Urania Immobilienservice [1997] ECR I-2195: 12.17
- C-251/95 SABEL BV v Puma AG, Rudolf Dassler Sport [1997] ECR I-6191: 178: 17.25
- C-261/95 Palmisani v INPS [1997] ECR I-4025: 14.4, 19.9
- C-265/95 Commision v France [1997] ECR I-6959: 7.5, 19.11
- C-267 + 289/95 Merck & Co. Inc. *et al.* v Primecrown *et al.* [1996] ECR I-6285: 15.24, 17.11
- C-299/95 Kremzow v Austria [1997] ECR I-2629: 13.23
- C-300/95 Commission v UK [1997] ECR I-2649: 20.14
- C-321/95P Stichting Greenpeace Council (Greenpeace International) *et al.* v Commission [1998] ECR I-1651: 18.9
- C-341/95 Bettati v Safety Hi-Tech [1998] ECR I-4355: 2.22
- C-343/95 Cali & Figli v Servizi Ecologici Porto di Genova [1997] ECR I-1547: 10.10
- C-351/95 Kadiman v Freistaat Bayern [1997] ECR I-2133: 6.11
- C-359/95P Commission and France v Ladbroke Racing [1997] ECR I-6265: 10.19
- C-368/95 Vereinigte Familiapress Zeitungsverlags- und vertriebs GmbH v Heinrich Bauer Verlag [1997] ECR I-3689: 7.9, 13.13, 16.43
- C-383/95 Petrus Wilhelmus Rutten v Cross Medical Ltd [1997] ECR I-57: 5.5, 14.13
- C-398/95 SETTG v Ypourgos Ergasias [1997] ECR I-3091: 7.3
- C-409/95 Hellmut Marschall v Land Nordrhein-Westfalen [1997] ECR I-6363: 2.18, 12.13
- C-35/96 Commission v Italy [1998] ECR I-3851: 10.5
- C-36/96 Günaydin v Freistaat Bayern [1997] ECR I-5143: 6.13, 21.4
- C-67/96 Albany International BV v Stichting Bedrijfspensioenfonds Textielindustrie [1999] ECR I-5751: 10.9, 15.21
- C-85/96 María Martínez Sala v Freistaat Bayern [1998] ECR I-2691: 4.4
- C-97/96 Verband deutscher Daihatsu-Händler eV v Daihatsu Deutschland GmbH [1997] ECR I-6843: 2.10, 20.18
- C-129/96 Inter-Environnement Wallonie v Région wallonne [1997] ECR I-7411: 2.9
- C-149/96 Portugal v Council [1999] ECR I-8395: 2.12
- C-157/96 R v Ministry of Agriculture, Fisheries and Food and Commissioners of Customs & Excise *ex parte* National Farmers' Union *et al.* [1998] ECR I-2211: 3.19
- C-158/96 Kohll v Union des caisses de maladie [1998] ECR I-1931: 7.4, 7.18,
- C-196/97P Intertronic F. Cornelis v Commission [1998] ECR I-199: 18.11
- C-200/96 Metronome Musik GmbH v Music Point Hokamp GmbH [1998] ECR I-1953: 17.36
- C-210/96 Gut Springenheide and Tusky v Oberkreisdirektor des Kreises Steinfurt [1998] ECR I-4657: 16.42, 16.43, 21.2
- C-215/96 Bagnasco *et al.* [1999] ECR I-135: 10.29
- C-249/96 Grant v South-West Trains Ltd [1998] ECR I-621: 2.21, 12.20, 13.13
- C-274/96 Criminal proceedings against Horst Otto Bickel and Ulrich Franz [1998] ECR I-7637: 5.6
- C-319/96 Brinkmann Tabakfabriken v Skatteministeriet [1998] ECR I-5255: 19.8
- C-348/96 Criminal proceedings against Donatella Calfa [1999] ECR I-11: 5.6

- C-350/96 Clean Car Autoservice v Landeshauptmann von Wien [1998] ECR I-2521: 7.4
- C-355/96 Silhouette International Schmied GmbH & Co. KG v Hartlauer Handelsgesellschaft GmbH [1997] ECR I-4799: 3.20, 3.23, 17.30
- C-367/96 Kefalas *et al.* v Greece [1998] ECR I-2843: 21.5
- C-369 + 376/96 Criminal proceedings against Arblade [1999] ECR I-8453: 7.21, 16.19
- C-393/96P (R) Antonissen v Council and Commission [1997] ECR I-441: 18.6
- C-395–396/96P Compagnie Maritime Belge Transports SA *et al.* v Commission [2000] ECR I-1365: 9.26, 10.56, 11.27, 11.35, 11.46
- C-1/97 Birden v Stadtgemeinde Bremen [1998] ECR I-7747: 6.12
- C-7/97 Oscar Bronner GmbH & Co. KG v Mediaprint [1998] ECR I-7791: 11.51, 11.52, 14.20
- C-37/98 Savas [2000] ECR I-2927: 6.12
- C-39/97 Canon Kabushiki Kaisha v Metro-Goldwyn-Mayer Inc. [1998] ECR I-5507: 179
- C-61/97 Foreningen af Danske Videogramdistributører v Laserdiken [1999] ECR I-5171: 17.36
- C-63/97 Bayerische Motorenwerke (BMW) and BMW Nederland BV v Ronald Karel Deenik [1999] ECR I-905: 3.23, 17.29
- C-75/97 Belgium v Commission [1999] ECR I-3671: 118, 139
- C-76/97 Tögel v Niederösterreichische Gebietskrankenkasse [1998] ECR I-5357: 8.15
- C-108 + 109/97 Windsurfing Chiemsee Produktions- und VertriebsGmbH v Boots- und Segelzubehör Walter Huber und Franz Attenberger [1999] ECR I-2779: 17.23
- C-114/97 Commission v Spain [1998] ECR I-6717: 4.5
- C-115 + 117/97 Brentjens' [1999] ECR I-6025: 10.9
- C-124/97 Läärä, Cotswold Microsystemsand Ltd and Oy Transatlantic Software Ltd v Finland [1999] ECR I-6067: 7.14
- C-126/97 Eco Swiss China Time Ltd v Benetton International NV [1999] ECR I-3055: 14.20, 16.25, 20.4
- C-140/97 Rechberger *et al.* v Austria [1999] ECR I-3499: 19.5, 19.8
- C-158/97 Badeck *et al.* [2000] ECR I-1875: 12.13
- C-159/97 Trasporti Castelletti Spedizioni Internazionali SpA v Hugo Trumpy SpA [1999] ECR I-1597: 16.22
- C-185/97 Belinda Jane Coote v Granada Hospitality [1998] ECR I-5199: 2.19, 12.10, 14.2
- C-212/97 Centros Ltd v Erhvervs- og Selskabsstyrelsen [1999] ECR I-1459: 7.26, 7.28, 15.8, 21.5
- C-219/97 Drijvende Bokken [1999] ECR I-6121: 10.9
- C-222/97 Trummer and Mayer [1999] ECR I-1661: 7.22
- C-226/97 Criminal proceedings against Lemmens [1998] ECR I-3711: 19.12
- C-303/97 Verbraucherschutzverein v Sektkellerei Kessler [1999] ECR I-513: 16.43
- C-329/97 Ergat [2000] ECR I-1487: 6.16
- C-337/95 Parfums Christian Dior SA and Parfums Christian Dior NV v Evora BV [1997] ECR I-6013: 17.11, 17.32
- C-375/97 General Motors v Yplon SA [1999] ECR I-5421: 17.27
- C-378/97 Criminal proceedings against Florus Ariël Wijsenbeek [1999] ECR I-6207: 5.6, 8.1
- C-379/97 Pharmacia & Upjohn v Paranova A/S [1999] ECR I-6927: 17.12
- C-387/97 Commission v Greece [2000] ECR I-5047: 19.3

- C-6/98 Arbeitsgemeinschaft Deutscher Rundfunkanstalten (ARD) v PRO Sieben Media AG [1999] ECR I-7599: 8.9
- C-7/98 Krombach [2000] ECR I-1935: **14.10**
- C-172/98 Commission v Belgium [1999] ECR I-3999: 12.4
- C-173/98 Sebago Inc. and Ancienne Maison Dubois & Fils SA v G-B Unic SA [1999] ECR I-4103: **17.31**
- C-180–185/98 Pavlov *et al.* v Stichting Pensioenfonds Medische Specialisten [2000] ECR I-6451: 10.9, 15.22
- C-208/98 Berliner Kindl Brauerei AG v Andreas Siepert [2000] ECR I-1741: 2.18
- C-220/98 Estée Lauder Cosmetics v Lancaster Group [2000] ECR I-117: **16.42**, 16.43
- C-224/98 Marie-Nathalie d’Hoop v Office national de l’emploi [2002] ECR I-6191: **5.9**
- C-237/98P Dorsch Consult [2000] ECR I-4549: 18.12
- C-240–244/98 Océano Grupo Editorial v Roció Murciano Quintero [2000] ECR I-4941: **2.5**, **14.5**
- C-254/98 Schutzverband gegen unlauteren Wettbewerb v TK-Heimdienst Sass GmbH [2000] ECR I-151: 7.10
- C-281/98 R. Angonese v Cassa di Risparmio di Bolzano [2000] ECR I-4139: 2.7, 6.3, 12.4, 15.7, 20.11
- C-285/98 Tanja Kreil v Germany [2000] ECR I-69: **12.10**
- C-312/98 Schutzverband gegen Unwesen in der Wirtschaft eV v Warsteiner Brauerei Hans Cramer GmbH & Co. KG [2000] ECR I-9187: 16.43
- C-324/98 Telaustria Verlags GmbH and Telefonadress GmbH v Telekom Austria AG [2000] ECR I-10745: 2.15, 8.16
- C-352/98P Bergaderm and Goupil v Commission [2000] ECR I-5291: **18.6**, **19.5**
- C-366/98 Criminal proceedings against Geoffrey [2000] ECR I-6579: 7.9
- C-367/98 Commission v Portugal [2002] ECR I-4731: 7.23
- C-376/98 Germany v European Parliament and Council [2000] ECR I-8419: 2.21, **3.12**, 13.9, **16.1**, 16.38
- C-377/98 Netherlands v EP and Council [2001] ECR I-7079: 13.25, 17.20
- C-381/98 Ingmar GB Ltd v Eaton Leonard Technologies Inc. [2000] ECR I-9305: 16.8, 16.11
- C-405/98 Konsumentenombudsmannen (KO) v Gourmet International products AB (GIP) [2001] ECR I-1795: 7.10
- C-407/98 Abrahamsson and Anderson v Fogelqvist [2000] ECR I-5539: **12.13**
- C-423/98 Albore [2000] ECR I-5965: 7.22, 15.6
- C-424/98 Commission v Italy [2000] ECR I-4001: 4.15
- C-443/98 Unilever Italia SpA v Central Food SpA [2000] ECR I-7535: **2.11**, **19.12**
- C-451/98 Antillean Rice Mills NV v Council [2001] ECR I-8949: 14.26
- C-456/98 Centrosteeel v Adipol [2000] ECR I-6007: 3.24
- C-465/98 Verein gegen Unwesen in Handel v A. Darbo [2000] ECR I-2297: **16.42**
- C-476/98 Commission v Germany [2002] ECR I-9855: 7.3
- C-478/98 Commission v Belgium [2000] ECR I-7587: 15.6
- C-9/99 Echinolles Distribution SA v Association du Dauphine [2000] ECR I-8207: 15.4
- C-54/99 Église de Scientologie v the Prime Minister [2000] ECR I-1335: 7.22
- C-63/99 R v Secretary of State for the Home Department *ex parte* Wieslaw and Elzbieta Gloszczuk [2001] ECR I-6369: 2.13, 6.5, 15.11, 20.11

- C-74/99 R v Secretary of State for Health *et al. ex parte* Imperial Tobacco Ltd *et al.* [2000] ECR I-8599: 14.23
- C-89/99 Schieving-Nijstad v Groeneveld [2001] ECR I-5851: 17.2
- C-110/99 Emsland-Stärke [2000] ECR I-11569: 21.6
- C-112/99 Toshiba Europe GmbH v Katun Germany GmbH [2001] ECR I-7945: 17.29
- C-144/99 Commission v Netherlands [2001] ECR I-3541: 3.24, 16.39
- C-157/99 Geraets-Smits v Stichting Ziekenfonds *et al.* [2001] ECR I-5473: 7.18
- C-173/99 R v Secretary of State for Trade and Industry *ex parte* BECTU [2001] ECR I-4881: 13.21
- C-184/99 Rudy Grzelczyck v Centre public d'aide sociale d'Ottignies-Louvain-la-Neuve [2001] ECR I-6193: 5.7
- C-192/99 R v Secretary of State for the Home Department *ex parte* Manjit Kaur [2001] ECR I-1237: 5.2
- C-203/99 Henning Veedfald v Århus Amtskommune [2001] ECR I-3569: 20.14
- C-235/99 R v Secretary of State for the Home Department *ex parte* Eleanora Ivanova Kondova [2001] ECR I-6427: 6.5
- C-257/99 R v Secretary of State for the Home Department *ex parte* Julius Barkoci and Marcel Malik [2001] ECR I-6557: 2.19, 6.15, 20.11
- C-268/99 Aldona Malgorzata Jany *et al.* v Staatssecretaris van Justitie [2001] ECR I-8615: 6.15
- C-270/99P Z v European Parliament [2001] ECR I-9197: 13.21
- C-309/99 J.C.J. Wouters *et al.* v Algemene Raad van de Nederlandse Orde van Advocaten [2002] ECR I-1577: 2.7, **9.14**, 10.5, 10.11, 10.21, **10.48**, 12.4, 13.21, 20.11
- C-353/99 Council v Hautala [2001] ECR I-9565: **18.5**
- C-385/99 V.G. Müller-Fauré v Onderlinge Waarborgmaatschappij *et al.* [2003] ECR I-4509: 7.18
- C-413/99 Baumbast and R v Secretary of State for the Home Department [2002] ECR I-7091: 2.6, **4.9**, **5.9**, 12.5
- C-414–416/99 Zino Davidoff SA v A & G Imports, Levi Strauss & Co. v Tesco Stores Ltd *et al.* [2001] ECR I-8691: **17.31**
- C-453/99 Courage Ltd v Crehan [2001] ECR I-6297: 2.19, **15.16**, **20.6**
- C-459/99 MRAX v Belgium [2002] ECR I-6591: 4.1
- C-476/99 H. Lommers v Minister van Landbouw, Natuurbeheer en Visserij [2002] ECR I-2891: 12.13
- C-478/99 Commission v Sweden [2002] ECR I-4147: 16.39
- C-481/99 Heininger v Bayerische Hypo- und Vereinsbank AG [2001] ECR I-9945: 2.15, 2.24, 14.4, **16.48**
- C-483/99 Commission v France [2002] ECR I-4781: 7.23
- C-503/99 Commission v Belgium [2002] ECR I-4809: 7.23
- C-513/99 Concordia Bus Finland Oy Ab v Helsingin kaupunki and HKL-Bussiliikenne [2002] ECR I-7213: 8.18
- C-1/00 Commission v France [2001] ECR I-9989: 19.2
- C-2/00 Holterhoff v Freiesleben [2002] ECR I-4187: 17.23
- C-13/00 Commission v Ireland [2003] ECR I-2943: 3.14
- C-50/00P Unión de Pequeños Agricultores v Council [2002] ECR I-6677: **14.28**
- C-52/00 Commission v France [2002] ECR I-3827: 20.15

- C-60/00 *Mary Carpenter v Secretary of State for the Home Department* [2002] ECR I-6279: **2.20, 4.13**
- C-96/00 *Rudolf Gabriel* [2002] ECR I-6367: 2.17, 14.12, 16.11
- C-112/00 *Eugen Schmidberger v Austria* [2003] ECR I-5659: 7.5, **13.3, 13.34, 19.11**
- C-143/00 *Boehringer Ingelheim et al. v Swingward Ltd and Dowelhurst Ltd* [2002] ECR I-3759: **17.12**
- C-154/00 *Commission v Greece* [2002] ECR I-3879: 20.14
- C-162/00 *Land Nordrhein-Westfalen v Beata Pokrzepowicz-Meyer* [2002] ECR I-1049: 2.13, **6.4, 15.11, 20.11**
- C-167/00 *Verein für Konsumenteninformation v Karl Heinz Henkel* [2002] ECR I-8111: 2.17, **14.13**
- C-168/00 *Simone Leitner v TUI Deutschland GmbH & Co. KG* [2002] ECR I-2631: 20.14
- C-188/00 *Kurz* [2002] ECR I-10691: 6.14
- C-204/00P *Aalborg Portland A/S v Commission* [2004] ECR I-123: 10.6, 10.10
- C-208/00 *Überseering BV v Nordic Construction Company Baumanagement GmbH (NCC)* [2002] ECR I-9919: **7.29, 15.8, 20.18**
- C-244/00 *Van Doren + Q. GmbH v Lifestyle sports + sportswear Handelsgesellschaft and Michael Orth.* [2003] ECR I-3051: **17.31**
- C-245/00 *Stichting ter Exploitatie van Naburige Rechten (SENA) v Nederlandse Omroep Stichting (NOS)* [2003] ECR I-1251: 2.17, 17.36
- C-257/00 *Nani Givane et al. v Secretary of State for the Home Department* [2003] ECR I-345: 2.14
- C-273/00 *Ralf Sieckmann v Deutsches Patent- und Markenamt* [2002] ECR I-11737: 17.21
- C-280/00 *Altmark Trans et al. v Nahverkehrsgesellschaft Altmark GmbH* [2003] ECR I-7747: 11.63
- C-325/00 *Commision v Germany* [2002] ECR I-9977: 7.5
- C-327/00 *Santex v Unità Socio Sanitaria* [2003] ECR I-1877: 8.15, 14.4
- C-334/00 *Fonderie Officine Meccaniche Tacconi SpA v Heinrich Wagner Sinto Maschinenfabrik GmbH (HWS)* [2002] ECR I-7357: **14.9, 20.27**
- C-386/00 *Axa Royale Belge v Georges Ochoa et al.* [2002] ECR I-2209: 21.3
- C-411/00 *Felix Swoboda v Österreichische Nationalbank* [2002] ECR I-10567: 8.20
- C- 421/00, C-426/00 + C-16/01, *Renate Sterbenz (C-421/00) and Paul Dieter Haug (C-426/00 + C-16/01)* [2003] ECR I-1065: 16.43
- C-433/00 *Aventis Pharma Deutschland GmbH v Kohlpharma GmbH and MTK Pharma Vertriebs-GmbH* [2002] ECR I-7761: **17.12**
- C-437/00 *Pugliese v Finmeccanica SpA* [2003] ECR I-3573: 16.18
- C-438/00 *Deutscher Handballbund eV v Maros Kolpak* [2003] ECR I-4135: **2.13, 6.3, 20.11**
- C-453/00 *Kühne and Heitz* [2004] ECR I-837: **3.10**
- C-465/00 *Rechnungshof et al. v Österreichischer Rundfunk et al.* [2003] ECR I-4989: 13.5
- C-473/00 *Cofidis v Jean-Louis Fredout* [2002] ECR I-10875: 14.4
- C-2 + 3/01P *Bundesverband der Arzneimittel-Importeure et al. v Bayer-AG* [2004] ECR I-23: **10.20**
- C-82/01P *Aéroports de Paris v Commission* [2002] ECR I-9297: 10.10
- C-98/01 *Commission v UK* [2003] ECR I-4641: 7.24

- C-99/01 Criminal proceedings against Gottfried Linhart and Hans Biffel [2002] ECR I-9375: 16.43
- C-104/01 Libertel Groep v Benelux- Merkenbureau [2003] ECR I-3793: 17.21
- C-109/01 Secretary of State for the Home Department v Hacene Akrich [2003] ECR I-9607: 4.10
- C-117/01 K.B. v National Health Service Pensions Agency *et al.* [2004] ECR I-541: 5.14, 12.20
- C-167/01 Kamer van Koophandel v Inspire Art [2003] ECR I-10155: 7.29, 15.9
- C-186/01 Alexander Dory v Kreiswehrrersatzamt Schwäbisch Gemünd [2003] ECR I-2479: 12.10
- C-206/01 Arsenal Football Club plc v Matthew Reed [2002] ECR I-10273: 17.20, 17.24
- C-218/01 Henkel KGaA [2004] ECR I-1725: 16.43
- C-224/01 Gerhard Köbler v Austria [2003] ECR I-10239: 4.2, 14.22, 19.6
- C-237/01 Kus v Landeshauptstadt Wiesbaden [2002] ECR I-6781: 6.14
- C-243/01 Criminal proceedings against Piergiorgio Gambelli *et al.* [2003] ECR I-13031: 7.19
- C-256/01 Allonby v Accrington and Rossendale College [2004] ECR I-873: 12.8
- C-264/01 AOK Bundesverband *et al.* v Ichthyol-Ges. Cordes, Hermani & Co. *et al.* [2004] ECR I-2493: 20.8
- C-313/01 Christine Morgenbesser v Consiglio dell'Ordine degli avvocati di Genova [2003] ECR I-13467: 4.12
- C-320/01 W. Bush v Klinikum Neustadt [2003] ECR I-2041: 12.11
- C-322/01 Deutscher Apothekenverband v DocMorris NV and Jacques Waterval [2003] ECR I-14887: 7.10, 8.12, 15.9
- C-388/01 Commission v Italy [2003] ECR I-721: 4.14
- C-397–403/01 Bernhard Pfeiffer *et al.* v Deutsches Rotes Kreuz [2004] ECR I-8835: 3.24
- C-408/01 Adidas-Salomon AG *et al.* v Fitnessworld Trading Ltd [2003] ECR I-12537: 17.27
- C-418/01 IMS Health v NDC Health [2004] ECR I-5039: 17.18
- C-448/01 EVN and Wiensstrom v Austria [2003] ECR I-14527: 8.18
- C-464/01 Johann Gruber v Bay Wa AG [2005] ECR I-439: 14.12, 21.2
- C-491/01 R v Secretary of State for Health *ex parte* British American Tobacco (Investment) Ltd *et al.* [2002] ECR I-11453: 2.21, 3.12, 13.2, 14.20, 16.38
- C-25/02 Katharina Rinke v Ärztekammer Hamburg [2003] ECR I-8349: 12.9, 14.22
- C-27/02 Petra Engler v Janus Versand GmbH [2005] ECR I-481: 14.13
- C-36/02 Omega [2004] ECR I-9609: 13.3
- C-49/02 Heidelberger Bauchemie GmbH [2004] ECR I-6129: 16.43
- C-93/02P Biret International v Council [2003] ECR I-10497: 18.6
- C-136/02 Mag Instruments Inc. v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) [2004] ECR I-9165: 16.43
- C-138/02 Brian Francis Collins v Secretary of State for Work and Pension [2004] ECR I-2703: 4.7, 5.8
- C-141/02P Commission v max-mobil [2005] ECR I-1283: 13.21, 18.13
- C-148/02 Carlos Garcia Avello v Belgium [2003] ECR I-11613: 5.10
- C-157/02 Rieser Internationale Transporte GmbH v Autobahnen- und Schnellstraßen-Finanzierungs-AG (Asfinag) [2004] ECR I-1477: 2.8

- C-159/02 Gregory Paul Turner v Felix Fareed Ismail Grovit *et al.* [2004] ECR I-3565: **14.10**
- C-168/02 Rudolf Kronhofer v Marianne Maier *et al.* [2004] ECR I-6009: 14.10
- C-189/02P Dansk Rørindustri *et al.* v Commission [2005] ECR I-5425: 9.13, 11.8
- C-200/02 Kunqian Catherine Zhu and Man Lavette Chen v Secretary of State for the Home Department [2004] ECR I-9925: **5.10**
- C-222/02 Peter Paul v Germany [2004] ECR I-9427: **19.10**
- C-237/02 Freiburger Kommunalbauten GmbH Baugesellschaft & Co. KG v Ludger Hofstetter und Ulrike Hofstetter [2004] ECR I-3403: 16.30
- C-239/02 Douwe Egberts NV v Westrom Pharma NV and Christophe Souranis, carrying on business under the commercial name of “Etablissement FICS” and Douwe Egberts NV v FICS-World BVBA [2004] ECR I-7007: 16.43
- C-245/02 Anheuser-Busch Inc. v Budějovický Budvar národní podnik [2004] ECR I-10989: **17.29**
- C-255/02 Halifax *et al.* [2006] ECR I-1609: 21.6
- C-263/02P Commission v Jégo-Quééré & Cie SA [2004] ECR I-3425: 14.28
- C-281/02 Andrew Owusu v N.B. Jackson *et al.* [2005] ECR I-1383: **14.10**
- C-309/02 Radlberger Getränkegesellschaft and S. Spitz v Land Baden-Württemberg [2004] ECR I-11763: 7.10
- C-327/02 Lili Georgieva Panayotova *et al.* v Minister voor Vreemdelingenzaken en Integratie [2004] ECR I-11055: **6.6**
- C-329/02 SAT.1 SatellitenFernsehen GmbH v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) [2004] ECR I-8317: 16.43
- C-377/02 Léon Van Parys v BIRB [2005] ECR I-1465: 2.12
- C-387/02 Criminal proceedings against Berlusconi *et al.* [2005] ECR I-3565: 3.23
- C-429/02 Bacardi-France v TF1 *et al.* [2004] ECR I-6613: 8.8, 20.24
- C-442/02 CaixaBank France [2004] ECR I-8961: **7.31**, 15.9
- C-456/02 Michel Trojani v CPAS [2004] ECR I-7573: 4.4
- C-16/03 Peak Holding AB v Axolin-Elinor AB [2004] ECR I-11313: **17.11**
- C-19/03 Verbraucher-Zentrale Hamburg eV v O2 (Germany) & Co. OHG [2004] ECR I-8183: 15.2
- C-20/03 Criminal proceedings against Burmanjer [2005] ECR I-4133: 7.10
- C-26/03 Stadt Halle and RPL Recyclingpark Lochau GmbH v Arbeitsgemeinschaft Thermische Restabfall- und Energieverwertungsanlage TREA Leuna [2005] ECR I-1: 8.15
- C-147/03 Commission v Austria [2005] ECR I-5969: **5.8**, 21.5
- C-152/03 Ritter-Coulais [2006] ECR I-1711: 4.4
- C-156/03P Commission v Les Laboratoires Servier [2003] ECR I-6575: 18.9
- C-173/03 Traghetti del Mediterraneo SpA v Italian Republic [2006] ECR I-5177: **19.6**
- C-205/03P FENIN v Commission [2006] ECR I-6295: **10.10**
- C-209/03 R, on the application of Dany Bidar v London Borough of Ealing Secretary of State for Education and Skills [2005] ECR I-2119: 4.15, 5.7
- C-228/03 The Gillette Company *et al.* v LA-Laboratories Ltd Oy [2005] ECR I-2337: **17.29**
- C-265/03 Igor Simutenkov v Ministerio de Educación y Cultura *et al.* [2005] ECR I-2579: 2.13
- C-350/03 Schulte v Deutsche Bausparkasse Badenia [2005] ECR I-9215: 14.4

- C-383/03 Dogan [2005] ECR I-6237: 6.14  
C-402/03 Skov and Bilka [2005] ECR I-199: 2.15, **20.14**  
C-411/03 SEVIC Systems [2005] ECR I-10805: 7.29  
C-453/03 R, on the application of ABNA Ltd *et al.* v Secretary of State for Health *et al.* [2005] ECR I-10423: **14.22**  
C-458/03 Parking Brixen v Gemeinde Brixen and Stadtwerke Brixen AG [2005] ECR I-8585: 8.16  
C-470/03 AGM-COSMET [2007] ECR I-2749: 3.20, 8.5, **19.7**, 19.11  
C-540/03 Parliament v Council [2006] ECR I-5769: **6.22**, 12.31, **13.9**, **13.22**  
C-544/03 Mobistar and Belgacom Mobile [2005] ECR I-7723: 7.17  
C-73/04 B. and M. Klein v Rhodos Management [2005] ECR I-8667: 14.11  
C-74/04 Commission v Volkswagen AG [2006] ECR I-6585: 10.20  
C-94 + 202/04 Frederico Cipolla *et al.* v Rosaria Fazari, née Portolese *et al.* [2006] ECR I-11421: 7.20  
C-95/04 British Airways plc v Commission [2007] ECR I-2331: 11.7, 11.43, 11.44, 11.50  
C-120/04 Medion v Thomson Multimedia [2005] ECR I-8551: **17.26**  
C-125/04 Guy Denuit *et al.* v Transorient-Mosaïque Voyages et Culture SA [2005] ECR I-923: 14.20  
C-127/04 O'Byrne [2006] ECR I-1313: 20.23  
C-144/04 Mangold v Helm [2005] ECR I-9981: 2.9, **12.26**  
C-158 + 159/04 Alfa Vita Vassilopoulos *et al.* [2006] ECR I-8135: 7.9  
C-170/04 Klas Rosengren *et al.* v Riksåklagaren [2007] ECR I-4071: 7.9  
C-174/04 Commission v Italy [2005] ECR I-4933: 7.24  
C-196/04 Cadbury Schweppes (Overseas) v Commissioners of Inland Revenue [2006] ECR I-7995: 21.6  
C-212/04 K. Adeneler *et al.* v ELOG [2006] ECR I-6057: 3.24  
C-282/04 Commission v Netherlands [2006] ECR I-9141: 7.23  
C-292/04 W. Meilicke *et al.* v Finanzamt Bonn-Innenstadt [2007] ECR I-1835: 2.24  
C-294/04 Carmen Sarkatzis Herrero v Imsalud [2006] ECR I-1513: 12.10  
C-295–298/04 Vincenzo Manfredi *et al.* v Lloyd Adriatico Asssicurazioni SpA *et al.* [2006] ECR I-6619: **20.7**  
C-338, 359 + 360/04 Criminal proceedings against Massimiliano Placanica [2007] ECR I-1891: 7.19  
C-343/04 Land Oberösterreich v ČEZ [2006] ECR I-4557: **14.11**  
C-344/04 IATA and ELFAA v Department for Transport [2006] ECR I-403: 2.15, 14.20, **18.3**  
C-348/04 Boehringer Ingelheim *et al.* v Swingward *et al.* [2007] ECR I-3391: 17.12, **17.33**  
C-361/04P Ruiz-Picasso *et al.* v OHIM [2006] ECR I-643: **17.26**  
C-372/04 Yvonne Watts v Bedford Primary Care Trust *et al.* [2006] ECR I-4325: 7.18  
C-406/04 Gérald De Cuyper v Office national de l'emploi [2006] ECR I-6947: 5.8  
C-479/04 Laserdisken [2006] ECR I-8089: 15.6  
C-499/04 Werhof [2006] ECR I-2397: 13.4  
C-4/05 Güzeli [2006] ECR I-10279: 6.13  
C-6/05 Medipac-Kazantzidis v Venizeleio-Pananeio [2007] ECR I-4557: 8.5  
C-13/05 Sonia Chacón Navas v Eurest Colectividades [2006] ECR I-6467: **12.28**  
C-17/05 B.F. Cadman v Health & Safety Executive [2006] ECR I-9583: **12.15**, **12.23**



- C-39 + 52/05P Sweden & Turco v Council [2008] ECR I-4723: 18.5
- C-48/05 Adam Opel AG v Autec AG [2007] ECR-I 1017: **17.29**
- C-76/05 Herbert Schwarz *et al.* v Finanzamt Bergisch-Gladbach [2007] ECR I-6849: 5.8
- C-110/05 Commission v Italy [2009] ECR I-519: 7.9
- C-112/05 Commission v Germany [2007] ECR I-8995: 7.24
- C-142/05 Åklagaren v Mickelsson and Roos [2009] ECR I-4273: 7.9
- C-168/05 Elisa Maria Mostaza Claro v Centro Movil Milenium [2005] ECR I-10421:  
**16.26**
- C-208/05 ITC Innovative Technology Center v Bundesagentur für Arbeit [2007] ECR  
I-181: 4.2
- C-217/05 CEPSA [2006] ECR I-11987: 10.17
- C-276/05 The Wellcome Foundation Ltd v Paranova Pharmazeutika Handels GmbH  
[2008] ECR I-10479: **17.12**
- C-277/05 Société thermale d'Eugénie-les-Bains v Ministère de l'Économie, des Finances  
et de l'Industrie [2007] ECR I-6428: 15.2
- C-292/05 Lechouritou *et al.* v Germany [2007] ECR I-1519: **14.9**
- C-306/05 SGAE [2006] ECR I-11519: 2.22
- C-341/05 Laval und Partneri [2007] ECR I-11767: 2.7, 4.6, **7.21, 12.4, 13.4, 20.11**
- C-386/05 Color Drakk v Lexx International Vertriebs GmbH [2007] ECR I-3699: 14.16
- C-402 + 415/05P Kadi and Al Barakaat International Foundation v Council and  
Commission [2008] ECR I-6351: **13.1, 14.2**
- C-411/05 Félix Palacios de la Villa v Cortefiel [2007] ECR I-8531: 2.11, **12.26**
- C-432/05 Unibet v Justitiekanslern [2007] ECR I-2271: **14.9**
- C-438/05 The International Transport Workers' Federation (ITF) & The Finnish  
Seamen's Union (FSU) v Viking Line ABP & OÜ Viking Line Eesti [2007] ECR  
I-10779: 1.16, **2.7, 12.4, 13.4, 20.11**
- C-2/06 W. Kempter v Hauptzollamt Hamburg-Jonas [2008] ECR I-411: 3.10
- C-11 + 12/06 R. Morgan *et al.* v Bezirksregierung Köln *et al.* [2007] ECR I-9161: 5.10
- C-17/06 Céline Sarl v Céline SA [2007] ECR I-7041: 17.23
- C-120/06P FIAMM *et al.* v Council and Commission [2008] ECR I-6513: 2.12, **18.6, 18.12**
- C-180/06 Renate Ilsinger v Martin Dreschers [2009] ECR-I 3961: 14.14
- C-210/06 CARTESIO Oktató és Szolgáltató [2008] ECR I-9641: **7.30, 15.8**
- C-228/06 Soysal and Savatli [2009] ECR I-1031: 6.12
- C-244/06 Dynamic Medien Vertriebs GmbH v Avides Media AG [2008] ECR I-505: 8.12,  
**13.23**
- C-267/06 Tadao Maruko v Versorgungsanstalt der deutschen Bühnen [2008] ECR I-1757:  
**12.27**
- C-275/06 Promusicae v Telefónica de España [2008] ECR I-271: 3.25, **13.5, 13.23, 13.34,**  
**15.6, 15.12, 17.9, 17.40**
- C-279/06 CEPSA v Tobar e Hijos [2008] ECR I-6681: 10.17
- C-280/06 ETI *et al.* [2007] ECR I-10893: 10.6
- C-301/06 Ireland v EP and Council [2009] ECR I-593: 13.9
- C-303/06 S. Coleman v Attridge Law *et al.* [2008] ECR I-5603: **12.28**
- C-346/06 Rüffert v Land Niedersachsen [2008] ECR I-1989: **8.20**
- C-353/06 Grunkin and Paul [2008] ECR I-7639: **5.10**

- C-409/06 Winner Wetten v Bürgermeisterin der Stadt Bergheim [2010] ECR I-8015: 3.6, 7.19
- C-412/06 Annelore Hamilton v Volksbank Filder [2008] ECR I-2383: 16.48, 21.3
- C-427/06 B. Bartsch v Bosch und Siemens (BSH) Altersfürsorge [2008] ECR I-7245: 12.26
- C-445/06 Danske Slagterier [2009] ECR I-2119: 19.9
- C-450/06 Varec v Belgian State [2008] ECR I-581: 13.22
- C-452/06 Synthon v Licensing Authority of the Department of Health [2008] ECR I-7681: 19.7
- C-456/06 Peek & Cloppenburg v Cassina [2008] ECR I-2731: 2.22, 17.32
- C-462/06 Glaxosmithkline *et al.* v Rouard [2008] ECR I-3965: 14.15
- C-468–478/06 Sot Lélou kai Sia EE *et al.* v GlaxoSmith Kline AEEVE Farmakeftikon Proïonton [2008] ECR I-7139: 11.31, 11.51
- C-480/06 Commission v Germany [2009] ECR I-4747: 8.17
- C-499/06 Nerkowska [2008] ECR I-3993: 5.8
- C-506/06 Sabine Mayr v Bäckerei und Konditorei G. Flöckner [2008] ECR I-1027: 12.11
- C-518/06 Commission v Italy [2009] ECR I-3491: 7.21
- C-524/06 Heinz Huber v Germany [2008] ECR I-9705: 5.8
- C-553/06 O2 Holdings Ltd v Hutchison 3G [2008] ECR I-4231: 17.23
- C-33/07 Jipa [2008] ECR I-5157: 5.6
- C-42/07 Liga Portuguesa de Futebol Profissional *et al.* v Departamento de Jogos da Santa Casa da Misericórdia de Lisboa [2009] ECR I-7633: 7.19
- C-47/07P Masdar v Commission [2008] ECR I-9761: 18.13
- C-54/07 Centrum voor gelijkheid van kansen en voor racismebestrijding (CGKR) v Firma Feryn NV [2008] ECR I-5187: 12.23
- C-94/07 Raccanelli [2008] ECR I-5939: 2.7, 12.4, 20.11
- C-102/07 Adidas v Marca Mode *et al.* [2008] ECR I-2439: 17.28
- C-127/07 Arcelor Atlantique and Lorraine *et al.* [2008] ECR I-9895: 12.2
- C-158/07 Jacqueline Förster v Hoofddirectie van de Informatie Beheer Groep [2008] ECR I-8507: 4.15, 5.7
- C-171 + 172/07 Apothekerkammer des Saarlands *et al.* [2009] ECR I-4171: 7.32
- C-185/07 Allianz SpA (formerly Riunione Adriatica di Sicurtà SpA) and Generali Assicurazioni Generali SpA v West Tankers Inc. [2009] ECR I-663: 16.24
- C-202/07P France Télécom v Commission [2009] ECR I-2369: 11.18, 11.45
- C-205/07 Gysbrechts and Santurel Inter [2008] ECR I-9947: 3.20, 7.11, 16.4
- C-209/07 Competition Authority v Beef Industry Development Society Ltd and Barry Brothers (Carrigmore) Meats Ltd [2008] ECR I-8637: 9.14, 10.34
- C-252/07 Intel Corp. Inc. v CPM UK Ltd [2008] ECR I-8823: 17.27
- C-261 + 299/07 VTB-VAB *et al.* v Total *et al.* [2009] ECR I-2949: 3.20, 16.44
- C-269/07 Commission v Germany [2009] ECR-7811: 4.7
- C-301/07 PAGO International GmbH v Tirolmilch registrierte Genossenschaft mbH [2009] ECR I-9429: 17.27
- C-316/07 Stoß *et al.* v Wetteraukreis *et al.* [2010] ECR I-8069: 7.20
- C-337/07 Altun [2008] ECR I-10323: 6.12, 6.16
- C-350/07 Kattner Stahlbau v Maschinenbau- und Metall-Berufsgenossenschaft [2009] ECR I-1521: 7.21
- C-388/07 Age Concern England [2009] ECR I-1569: 12.26

- C-453/07 Hakan Er v Wetteraukreis [2008] ECR I-7299: 6.16
- C-489/07 Pia Messner v Firma Stefan Krüger [2009] ECR I-7315: 21.3
- C-531/07 Fachverband der Buch- und Medienwirtschaft v LIBRO Handelsgesellschaft [2009] ECR I-3717: 7.10
- C-546/07 Commission v Germany [2010] ECR I-439: 19.12
- C-550/07P Azko Nobel Chemicals *et al.* v Commission [2010] ECR I-8301: 13.8
- C-555/07 Seda Küçükdeveci v Swedex [2010] ECR I-365: 2.11, 3.4, 12.31
- C-557/07 LSG-Gesellschaft zur Wahrnehmung von Leistungsschutzrechten GmbH v Tele2 Telecommunication GmbH [2009] ECR I-1227: 17.40
- C-5/08 Infopaq International A/S v Danske Dagblades Forening [2009] ECR I-6569: 17.38
- C-8/08 T-Mobile Netherlands BV v Nederlandse Mededingingsautoriteit [2009] ECR I-4529: 10.24
- C-22 + 23/08 A. Vatsouras and Koupatantze v ARGE [2009] ECR I-4585: 4.7, 21.7
- C-40/08 Asturcom Telecomunicaciones v Nogueira [2009] ECR I-9579: 14.4, 16.26
- C-46/08 Carmen Media Group v Land Schleswig Holstein [2010] ECR I-8149: 7.20, 15.8
- C-58/08 Vodafone *et al.* [2010] ECR I-4999: 3.17, 3.19
- C-59/08 Copad SA v Christian Dior Couture SA [2009] ECR I-3421: 17.11
- C-73/08 N. Bressol *et al.* v French Community of Belgium [2010] ECR I-2735: 5.8
- C-97/08P Akzo Nobel *et al.* v Commission [2009] ECR I-8237: 10.6
- C-88/08 David Hütter v Technische Universität Graz [2009] ECR I-5325: 12.26
- C-101/08 Audiolux *et al.* [2009] ECR I-9823: 12.2, 20.18
- C-118/08 Transportes Urbanos y Servicios Generales [2010] ECR I-635: 19.9
- C-127/08 Blaise Beheten Metock v Minister for Justice, Equality and Law Reform [2008] ECR I-6241: 4.10, 5.12, 5.14, 12.3, 13.34, 14.22
- C-133/08 Intercontainer Interfrigo (ICF) SC v Balkenende Oosthuizen BV [2009] ECR I-9687: 16.16
- C-135/08 Janko Rottmann v Freistaat Bayern [2010] ECR I-1449: 5.3
- C-137/08 VB Pénzügyi Lízing Zrt. v Ferenc Schneider [2011] ECR I-10847: 16.30
- C-147/08 Jürgen Römer v Freie und Hansestadt Hamburg [2011] ECR I-3591: 12.27
- C-206/08 WAZV Gotha v Eurawasser [2009] ECR I-8377: 8.16
- C-211/08 Commission v Spain [2010] ECR I-5267: 7.18
- C-227/08 E.M. Martín [2009] ECR I-11939: 14.5
- C-229/08 Colin Wolf v Stadt Frankfurt am Main [2010] ECR I-1: 12.26
- C-236–237/08 Google France v Louis Vuitton *et al.* [2010] ECR I-2417: 8.12, 17.41, 17.42, 17.43
- C-243/08 Pannon GSM v E.S. Györfi [2009] ECR I-4713: 14.4, 14.5, 16.30
- C-258/08 Ladbrokes Betting & Gaming Ltd *et al.* v Stichting de Nationale Sporttotalisator [2010] ECR I-4757: 7.19
- C-271/08 Commission v Germany [2010] ECR I-7091: 1.16, 8.20
- C-278/08 Die BergSpechte Outdoor Reisen und Alpinschule Edi Koblmüller GmbH v Günther Guni and trekking.at Reisen GmbH [2010] ECR I-2517: 17.42
- C-280/08P Deutsche Telekom v Commission [2010] ECR I-9555: 11.5, 11.49
- C-285/08 Moteurs Leroy Somer v Société Dalkia France [2009] ECR I-4733: 20.14
- C-303/08 Land Baden-Württemberg v Metin Bozkurt [2010] ECR I-13445: 6.15

- C-304/08 *Zentrale zur Bekämpfung unlauteren Wettbewerbs eV v Plus Warenhandels-  
gesellschaft mbH* [2010] ECR I-217: **16.44**, 17.40
- C-310/08 *London Borough of Harrow v Ibrahim and Secretary of State for the Home  
Department* [2010] ECR I-1065: 2.15, **4.10**, **13.34**
- C-314/08 *Kr. Filipiak v Dyrektor Isby Skarbowej w Poznaniu* [2009] ECR I-11049: 3.5
- C-317–320/08 *Rosalba Alassini et al. v Telecom Italia* [2010] ECR I-2213: 2.2, **14.5**
- C-323/08 *Mayor v Herencia Dávila* [2009] ECR I-11621: 13.23
- C-341/08 *Domnica Petersen v Berufungsausschuss für Zahnärzte für den Bezirk  
Westphalen-Lippe* [2010] ECR I-47: **12.26**
- C-381/08 *Car Trim v KeySafety Systems* [2010] ECR I-1255: 14.16
- C-386/08 *Brita* [2010] ECR I-1289: 2.23
- C-403 + 429/08 *Football Association Premier League et al. v QC Leisure et al.* [2011] ECR  
I-9083: 7.18, 15.12, **17.11**, 17.38, 17.48
- C-467/08 *Padawan SL v Sociedad General de Autores y Editores de España (SGAE)*  
[2010] ECR I-10055: **17.38**
- C-480/08 *Maria Teixeira v London Borough of Lambeth* [2010] ECR I-1107: 4.10, 13.34
- C-484/08 *Caja de Ahorros y Monte de Piedad v Ausbanc* [2010] ECR I-4785: 3.20, **16.28**
- C-499/08 *Ingeniørforeningen i Danmark v Region Syddanmark* [2010] ECR I-9343: 12.26
- C-512/08 *Commission v France* [2010] ECR I-8833: 7.18
- C-522/08 *Telekomunikacja Polska SA w Warszawie v Prezes Urzędu Komunikacji  
Elektronicznej* [2010] ECR I-2079: 16.44
- C-540/08 *Mediaprint Zeitungs v “Österreich” Zeitungsverlag* [2010] ECR I-10909: 3.20,  
16.44
- C-543/08 *Commission v Portugal* [2010] ECR I-11241: 7.23
- C-558/08 *Portakabin Ltd and Portakabin BV v Primakabin BV* [2010] ECR I-6963: **17.43**
- C-565/08 *Commission v Italy* [2011] ECR I-2101: 7.20
- C-578/08 *Rhimou Chakroun* [2010] ECR I-1839: 6.22
- C-585/08 + C-144/09 *P. Pammer et al. v Reederei Karl Schlüter et al.* [2010] ECR I-12527:  
14.14, **16.15**
- C-14/09 *Hava Genc v Land Berlin* [2010] ECR I-931: 6.12
- C-34/09 *Gerardo Ruiz Zambrano v ONEm* [2011] ECR I-1177: **5.10**
- C-45/09 *Gisela Rosenblatt v Oellerking GmbH* [2010] ECR I-9391: **12.26**
- C-52/09 *Konkurrensverket v TeliaSonera Sverige AB* [2011] ECR I-527: 9.26, 11.5, 11.8,  
11.35, 11.49
- C-92 + 93/09 *Volker und Markus Schecke GbR and Eifert v Land Hessen* [2010] ECR  
I-11063: 13.2, **13.26**, 13.32
- C-108/09 *Ker-Optika v ÁNTSZ* [2010] ECR I-12213: 7.11, 8.12
- C-115/09 *BUND v Bezirksregierung Arnsberg* [2011] ECR I-3673: 2.23
- C-145/09 *Land Baden-Württemberg v P. Tsakouridis* [2010] ECR I-11979: 5.11, 13.26
- C-162/09 *Secretary of State for Work and Pensions v Lassal* [2010] ECR I-9217: 5.11, 16.18
- C-173/09 *Elchinov* [2010] ECR I-8889: 3.4
- C-208/09 *Ilonka Sayn-Wittgenstein v Landeshauptmann von Wien* [2010] ECR I-13693: 5.10
- C-232/09 *Dita Danosa v LKB Lizings* [2010] ECR I-11405: 4.4
- C-236/09 *Association Belge des Consommateurs Test-Achats* [2011] ECR I-773: 12.19,  
**13.27**
- C-246/09 *S. Bulicke v Deutsche Büro Service GmbH* [2010] ECR I-7003: 13.30

- C-250 + 268/09 Vasil Ivanov Georgiev v Technicheski universitet – Sofia [2010] ECR I-11869: **12.26**
- C-279/09 DEB Deutsche Energiehandels- und Beratungsgesellschaft mbH v Bundesrepublik Deutschland [2010] ECR I-13849:13.24, **14.4**
- C-307–309/09 Vicoplus SC PUH *et al.* v Minister van Sociale Zaken en Werkgelegenheid [2011] ECR I-453: 6.9
- C-323/09 Interflora Inc. and Interflora British Unit v Marks & Spencer plc and Flowers Direct Online Ltd [2011] ECR I-8625: 17.20, **17.45**
- C-324/09 L'Oréal *et al.* v eBay Int *et al.* [2011] ECR I-6011: **17.10**, 17.12, 17.44
- C-347/09 Criminal proceedings against Jochen DICKINGER *et al.* [2011] ECR I-8185: 7.19
- C-348/09 P.I. v Oberbürgermeisterin der Stadt Remscheid, judgment of 22 May 2012: 5.11
- C-360/09 Pfeleiderer v Bundeskartellamt [2011] ECR I-5161: 9.13
- C-391/09 Malgożatza Runevič-Vardyn *et al.* v Vilniaus miesto savivaldybės administracija [2011] ECR I-3787: 5.10, 12.21
- C-400/09 + 207/10 Orifarm A/S *et al.* v Merck Sharp & Dohme Corp *et al.* [2011] ECR I-7063: 17.12
- C-434/09 Shirley McCarthy v Secretary of State for the Home Department [2011] ECR I-3375: 5.10
- C-447/09 Reinhard Prigge *et al.* v Lufthansa [2011] ECR I-8003: 12.26
- C-482/09 Budějovický Budvar, národní podnik v Anheuser-Busch Inc. [2011] ECR I-8701: **17.46**
- C-509/09 + 161/10 eDate Advertising *et al.* v MGN Limited [2011] ECR I-10269: 8.12, **20.21**, 16.44
- C-520/09 Arkema v Commission [2011] ECR I-8901: 9.13
- C-542/09 Commission v Netherlands, judgment of 14 June 2012: 4.10
- C-29/10 Heiko Koelzsch v État du Grand-Duché de Luxembourg [2011] ECR I-1595: 16.18
- C-34/10 O. Brüstle v Greenpeace [2011] ECR I-9821: **13.25**
- C-70/10 Scarlet Extended v SABAM [2011] ECR I-11959: 13.26, 17.10, **17.40**
- C-72 + 77/10 M. Costa and U. Cifone, judgment of 16 February 2012: 8.16.
- C-76/10 Pohotovost; s.r.o v Iveta Korckovská [2011] ECR I-11557: 16.39
- C-104/10 P. Kelly v University College, Dublin [2011] ECR I-6813: 12.15.
- C-122/10 Konsumentombudsmannen v Ving Sverige AB [2011] ECR I-3903: **16.44**
- C-135/10 SCF v Marco Del Corso, judgment of 15 March 2012: 2.12, 2.23, **17.48**
- C-159 + 160/10 G. Fuchs and P. Köhler v Land Hessen [2011] ECR I-6919: 12.26
- C-162/10 Phonographic Performance (Ireland) Ltd v Ireland [2012] 2 CMLR 29: 17.36
- C-188 + 189/10 Melki and Abdeli [2010] ECR I-5667: **14.21**
- C-209/10 Post Danmark v Konkurrenserådet, judgment of 27 March 2012: 11.5, 11.6, 11.33, 11.45, 11.46
- C-214/10 KHS v Winfried Schulte [2011] ECR I-11757: **13.28**
- C-282/10 M. Dominguez v Centre informatique du Centre Ouest Atlantique, judgment of 24 January 2012: 13.24, 13.29, 16.18
- C-288/10 Wamo BVBA v JBC NV and Modemakers Fashion NV [2011] ECR I-5835: **16.44**
- C-357–359/10 Duomo Gpa *et al.* v Commune de Baranzate, judgment of 10 May 2012: 7.16, 7.17

- C-360/10 *Belgische Vereniging van Auteurs, Componisten en Uitgevers CVBA (SABAM) v Netlog NV*, judgment of 16 February 2012: 17.40
- C-368/10 *Commission v Netherlands*, judgment of 10 May 2012: 8.15
- C-371/10 *National Grid Indus BV v Inspecteur van de Belastingdienst Rijnmond/ Kantoor Rotterdam* [2011] ECR I-12273: 7.30, 15.8
- C-378/10 *VALE Építési kft*, judgment of 12 July 2012: 7.30
- C-384/10 *Voogsgeerd v Navimer SA* [2011] ECR I-13275: 16.18
- C-406/10 *SAS Institute Inc v World Programming Ltd*, judgment of 2 May 2012: 17.47
- C-415/10 *G. Meister v Speech Design Carrier*, judgment of 19 April 2012: 12.15
- C-424 + 425/10 *T. Ziolkowski, B. Szeja et al. v Land Berlin* [2011] ECR I-14035: 5.11, 6.7
- C-453/10 *Jana Perenicová and Vladislav Perenic v SOS finance spol. s.r.o.*, judgment of 15 March 2012: 16.39, 16.44
- C-456/10 *ANETT v Administración del Estado*, judgment of 26 April 2012: 7.9
- C-457/10P *AstraZeneca AB v Commission*, judgment of 6 April 2012: 11.56
- C-461/10 *Bonnier Audio AB & others v Perfect Communication Sweden AB*, judgment of 19 April 2012: 17.9
- C-472/10 *Nemzeti Fogyasztóvédelmi Hatóság v Invitel Távközlési Zrt*, judgment of 26 April 2012: 16.39
- C-495/10 *Centre hospitalier universitaire de Besançon v Thomas Dutruieux et al.* [2011] ECR I-14155: 20.15
- C-502/10 *Staatssecretaris van Justitie v Mangat Singh*, judgment of 18 October 2012: 6.20
- C-544/10 *Deutsches Weintor v Land Rheinland-Pfalz*, judgment of 6 September 2012: 13.26
- C-549/10P *Tomra Systems ASA v Commission*, judgment of 19 April 2012: 11.5, 11.8, 11.30, 11.43, 11.44
- C-571/10 *Servet Kamberaj v IPES et al.*, judgment of 24 April 2012: 6.20, 13.28
- C-617/10 *Aklagaren v H.A. Fransson*, judgment of 26 February 2013: 13.24, 13.30
- C-618/10 *Banco Espanol de Credito SA v Calderon Camino*, judgment 14 June 2012: 16.30, 16.44
- C-75/11 *Commission v Austria*, judgment of 4 October 2012: 5.8
- C-112/11 *Ebookers.com Deutschland GmbH v Bundesverband der Verbraucherzentralen und Verbraucherverbände – Verbraucherzentrale Bundesverband eV*, judgment of 19 July 2012: 16.49
- C-128/11 *UsedSoft GmbH v Oracle International Corp.*, judgment of 3 July 2012: 17.11
- C-132/11 *Tyrolean Airways Tiroler Luftfahrt*, judgment of 7 June 2012: 12.26
- C-171/11 *Fra.bo v DVGW*, judgment of 12 July 2012: 2.7, 7.5
- C-176/11 *HIT et al. v Bundesminister für Finanzen*, judgment of 12 July 2012: 7.19
- C-199/11 *Europese Gemeenschap v Otis et al.*, judgment of 6 November 2012: 14.3, 20.8
- C-226/11 *Expedia Inc. v Autorité de la Concurrence*, judgment of 13 December 2012: 9.13, 10.43
- C-256/11 *M. Dereci et al. v Bundesministerium für Inneres* [2011] ECR I-11315: 5.10, 6.12, 13.24
- C-249/11 *Byankov*, judgment of 4 December 2012: 5.6, 5.11
- C-283/11 *Sky Österreich v Österreichischer Rundfunk*, judgment of 22 January 2013: 8.10, 13.26, 15.6, 15.13

- C-300/11 ZZ v Secretary of State for the Home Department, judgment of 4 June 2013: 5.12, 14.2
- C-356 + 357/11 O. and S. v Maahanmuuttovirasto *et al.*, judgment of 6 December 2012: 5.10, 6.22
- C-397/11 Erika Jörös v Aegon Magyarországi Hitel Zrt., judgment of 30 May 2013: 16.30
- C-415/11 Mohamed Aziz v Catalunyacaixa, judgment of 14 March 2013: 2.5, 14.5, 16.30, 21.2
- C-426/11 Mark Alemo-Herron v Parkwood Leisure, judgment of 18 July 2013: 13.26, 15.13
- C-427/11 M. Kenny *et al.* v Minister for Justice, Equality and Law Reform, judgment of 28 February 2013: 12.15
- C-428/11 Purely Creative Ltd *et al.* v Office of Fair Trading, judgment of 18 October 2012: 16.44
- C-488/11 Dirk Frederik Asbeek Busse and Katarina de Man Garabito v Jahani BV, judgment of 30 May 2013: 16.30
- C-521/11 Amazon.com International Sales Inc *et al.* v Austro-Mechana Gesellschaft zur Wahrnehmung mechanisch-musikalischer Urheberrechte Gesellschaft mbH, judgment of 11 July 2013: 17.38
- C-523 + 585/11 Prinz *et al.* v Region Hannover *et al.*, judgment of 18 July 2013: 5.10
- C-526/11 IVD v Ärztekammer Westphalen-Lippe, judgment of 12 September 2013: 8.17
- C-529/11 Alarape *et al.*, judgment of 08 May 2013: 4.10, 5.11
- C-575/11 E.-Th. Nasiopoulos v Ipourgos Ivias kai Pronoias, judgment of 27 June 2013: 7.17
- C-604/11 Genil *et al.* v Bankinter *et al.*, judgment of 30 May 2013: 20.19
- C-583/11P Inuit Tapiriit Kanatami *et al.* v EP and Council, judgment of 3 October 2013: 14.30
- C-607/11 ITV v TV Catchup, judgment of 7 March 2013: 17.38
- C-46/12 L.N. v Styrelsen for Videregående Uddannelser og Uddannelsestøtte, judgment of 21 February 2013: 4.7
- C-57/12 Fédération des maisons de repos privées de Belgique (Femarbe) v Commission communautaire commune de Bruxelles-Capitale, judgment of 11 July 2013: 8.14
- C-64/12 Boedeker v Schlecker (t/a Firma Anton Schlecker), judgment of 12 September 2013: 16.18
- C-81/12 Asociația ACCEPT v CNPCD, judgment of 25 April 2013: 12.27
- C-105–107/12 Staat der Nederlanden v Essent *et al.*, judgment of 22 October 2013: 7.25
- C-140/12 Pensionsversicherungsanstalt v Peter Brey, judgment of 19 September 2013: 5.14
- C-170/12 Peter Pinckney v KDG Mediatech AG, judgment of 3 October 2013: 17.10
- C-176/12 Association de médiation sociale v CGT, judgment of 15 January 2014: 2.11, 13.28
- C-184/12 United Antwerp Maritime Agencies (Unamar) NV v Navigation Maritime Bulgare, judgment of 17 October 2013: 16.10
- C-220/12 A.I. Thiele Mewneses v Region Hannover, judgment of 24 October 2013: 5.10
- C-270/12 UK v Council of the EU and EP, judgment of 2 January 2014: 3.26
- C-286/12 Commission v Hungary, judgment of 6 November 2012: 12.26
- C-293/12 Digital Rights Ireland v Minister for Communication, judgment of 8 April 2014: 3.19, 13.2, 13.5, 13.27, 13.32
- C-295/12P Telefónica and Telefónica de España v Commission, judgment of 10 July 2014: 9.26, 11.5, 11.6, 11.33, 11.49

- C-370/12 Pringle v Government of Ireland, judgment of 27 November 2012: 1.5  
 C-390/12 Pflieger, judgment of 30 April 2014: 13.24, 13.34  
 C-457/12 S. v Minister voor Immigratie, Integratie en Asiel, judgment of 12 March 2014: 4.13  
 C-501–506, 540–541/12 Thomas Specht et al v Land Berlin *et al.*, judgment of 19 June 2014: 12.32  
 C-557/12 Kone et al v ÖBB Infrastruktur, judgment of 5 June 2014: 20.8  
 C-15/13 TU Hamburg Harburg et HIS v Datenlotensinformationssystem, judgment of 8 May 2014: 8.17  
 C-45/13 Andreas Kainz v Pantherwerke, judgment of 16 January 2014: 14.16  
 C-67/13P Groupement des cartes bancaires (CB) v Commission, judgment of 11 September 2014: 10.37  
 C-138/13 Dogan v BRD, judgment of 10 July 2014: 6.12  
 C-156/13 Digibet *et al.* v Westdeutsche Lotterie, judgment of 12 June 2014: 7.19  
 C-198/13 J. Hernández *et al.* v Spain *et al.*, judgment of 10 July 2014: 13.24  
 C-201/13 Johan Deckmyn and Vrijheidsfond VZW v Helena Vandersteen *et al.*, judgment of 3 September 2014: 13.27, 17.38  
 C-244/13 Ogieriakhi, judgment of 10 July 2014: 5.11  
 C-315/13 Criminal proceedings against de Clercq, judgment of 3 December 2014: 7.21  
 C-322/13 Rüffer v Pokorna, judgment of 27 March 2014: 5.6  
 C-333/13 E & F Dano v Jobcentre Leipzig, judgment of 11 November 2014: 5.14  
 C-354/13 FAO v KL, judgment of 18 December 2014: 12.28  
 C-360/13 Public Relations Consultants Association Ltd v Newspaper Licencing Agency Ltd *et al.*, judgment of 5 June 2014: 17.38  
 C-413/13 FNV Kunsten Informatie en Media v Staat der Nederlanden, judgment of 4 December 2014: 15.22  
 C-503 + 504/13 Boston Scientific, opinion of AG Bot of 21 October 2014: 20.15  
 C-62/14 P. Gauweiler *et al.* v EZB, opinion of AG Villalón of 14 January 2015: 3.3  
 C-67/14 Jobcenter Berlin Neuköln v N., S., V. and V. Alimanovic, opinion of AG Wathelet of 26 March 2015: 5.14

## OPINIONS OF THE ECJ

- 1/91 [1991] ECR I-6079 Draft Agreement re EEA: 1.5  
 1/92 [1992] ECR I-2821 Draft Agreement re EEA: 1.5  
 1/94 Competence of the Community to conclude international agreements concerning services and the protection of intellectual property [1994] ECR I-5267: 3.14, 17.2  
 2/94 On accession by the Community to the European Convention for the Protection of Human Rights and Fundamental Freedoms [1996] ECR I-1759: 13.11  
 1/03 On the Lugano Convention [2006] ECR I-1145: 3.14, 14.13  
 2/13 On the draft agreement on the accession to the ECHR of 18 December 2014: 13.12, 13.24



## GENERAL COURT (EX-COURT OF FIRST INSTANCE)

- T-30/89 Hilti v Commission [1991] ECR II-1439: 11.33, 11.54  
 T-65/89 BPB v Commission [1993] ECR II-389: 11.36  
 T-68, 77 + 78/89 Società Italiano Vetro SpA *et al.* v Commission [1992] ECR II-1403: 11.27  
 T-141/89 Tréfileurope v Commission [1995] ECR II-791: 10.18  
 T-24/90 Automec Srl v Commission [1992] ECR II-2223: 20.5  
 T-83/91 Tetra Pak International v Commission [1994] ECR II-755: 11.35, 11.40  
 T-59/92 Caronna v Commission [1993] ECR II-1129: 18.8  
 T-102/92 Viho v Commission [1995] ECR II-17: 10.6  
 T-99/94 Asociación Española de Empresas de la Carne v Council [1994] ECR II-871: 14.29  
 T-134/94 NMH Stahlwerke v Commission [1999] ECR II-230: 10.6  
 T-305/94 LVM v Commission [1999] ECR II-931: 10.14  
 T-387/94 Asia Motor France *et al.* v Commission [1996] ECR I-961: 10.19  
 T-184/95 Dorsch Consult Ingenieurgesellschaft v Council and Commission [1998] ECR II-667: 18.12  
 T-41/96 Bayer v Commission [2000] ECR II-3383: 10.12, 10.20  
 T-111/96 ITT Promedia NV v Commission [1998] ECR II-2937: 11.55  
 T-122/96 Federolio v Commission [1997] ECR-II 1559: 18.9  
 T-132 + 143/96 Freistaat Sachsen *et al.* v Commission [1999] ECR II-3663:  
 T-135/96 UEAPME v Council [1998] ECR II-2335: 14.27  
 T-125/97 Coca-Cola v Commission [2000] ECR II-1733: 9.31  
 T-228/97 Irish Sugar plc v Commission [1999] ECR II-2969: 11.23, 11.30, 11.46, 15.20  
 T-598/97 BSC Footwear Supplies v Council [2002] ECR II-1155: 18.9  
 T-65/98 van den Bergh Foods v Commission [2003] ECR II-4653: 11.43  
 T-128/98 Aéroports de Paris v Commission [2000] ECR II-3929: 10.10, 11.33  
 T-172 + 175-177/98 Salamander v Parliament and Council [2000] ECR II-2487: 14.29  
 T-54/99 max.mobil Telekommunikation Service GmbH v Commission [2002] ECR II-313: 13.21, 18.12  
 T-122/99 The Procter & Gamble Company v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) [2000] ECR II-265: 16.43  
 T-219/99 British Airways v Commission [2003] ECR II-5917: 9.12, 11.21, 11.26  
 T-319/99 FENIN v Commission [2003] ECR II-357: **10.10**  
 T-383/00 Beamglow Ltd v Parliament and Council [2005] ECR II-5459: 18.12  
 T-67/01 JCB Service v Commission [2004] ECR II-49: 10.70  
 T-168/01 GlaxoSmithKline Services v Commission [2006] ECR II-2969: 9.12  
 T-177/01 Jégo-Quééré & Cie SA v Commission of the European Communities [2002] ECR II-2365: 14.28  
 T-203/01 Michelin v Commission [2003] ECR II-4071: 11.43  
 T-208/01 Volkswagen AG v Commission [2003] ECR II-5141: 10.20  
 T-325/01 DaimlerChrysler v Commission [2005] ECR II-3319: 10.17  
 T-185/02 Claude Ruiz-Picasso *et al.* v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) [2004] ECR II-1739: 16.43  
 T-259/02 Raiffeisen Zentralbank Österreich v Commission [2006] ECR II-5169: 10.29  
 T-305/02 Nestlé Waters France v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) [2003] ECR II-5207: 16.43

- T-393/02 Henkel KGaA v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) [2004] ECR II-4115: 16.43
- T-396/02 August Storck KG v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) [2004] ECR II-3821: 16.43
- T-340/03 France Télécom v Commission [2007] ECR II-107: 11.18, 11.45
- T-201/04 Microsoft v Commission [2007] ECR II-3601: 11.33, 11.35, 17.19, 17.48
- T-301/04 Clearstream Banking AG v Commission [2009] ECR II-3155: 11.50
- T-112/05 Akzo Nobel v Commission [2007] ECR II-5049: 10.6
- T-321/05 AstraZeneca v Commission [2010] ECR II-2805: 11.33, 17.15
- T-450/05 Peugeot v Commission [2009] ECR II-2533: 10.20
- T-336/07 Telefónica and Telefónica de España v Commission, judgment of 29 March 2012: 9.26
- T-56 + 73/09 Saint-Gobain Glass France *et al.* v Commission, judgment of 17 March 2014: 9.7
- T-286/09 Intel Corp v Commission, judgment of 12 June 2014: 11.5, 11.6, 11.8, 11.37, 11.43, 11.44, 11.46, 11.47
- T-18/10 Inuit Tapiriit Kanatami v EP [2011] ECR II-5599, appeal C-581/11P: 14.30
- T-201/11 Si.mobil telekomunikacijske storitve v Commission, judgment of 17 December 2014: 11.8
- T-79/12 Cisco and Messagenet v Commission, judgment of 11 December 2013: 11.18

## NON-EU CASES

### CZECH REPUBLIC

Constitutional Court, 26.11.2008/3.11.2009 [2010] 1 CMLR 42: 3.4

### GERMANY

#### *Bundesverfassungsgericht (BVerfG)*

- 12.10.1993: 2 BvR 2134/92 – Brunner *et al.* – BVerfGE 89, 155 – [1994] 1 CMLR 57: 3.2, 13.2
- 30.6.2009 – 2 BvR 2, 5/08 – re Lisbon Treaty – BVerfGE 123, 267 – [2010] 3 CMLR 57: 3.3, 3.15, 13.2
- 6.7.2010 – 2 BvR 2661/06 – Honeywell case – BVerfGE 126, 286: 2.3, 2.9, 3.3, 12.36
- 26.9.2011 – 2 BvR 261/06 – EuZW 2012, 196: 3.22, 3.24
- 21.4.2013 – 1 BvR 1215/07, NJW 2013, 1499: 13.24

#### *Bundesgerichtshof (BGH)*

- 13 March 2003 – VII ZR 370/98, NJW 2003, 1461 = JZ 2003, 825: 7.26, 7.29, 15.8
- 15 February 2007 – I ZR 63/04, [2008] ECC 25; [2009] ETMR 9: 17.32

28 June 2011 – KZR 75/10, NJW 2012, 928: 20.8  
 12 July 2012 – II ZR 28/10, [2012] ILPr 28: 15.8  
 18 October 2012 – III ZR 196/11, EuZW 2013, 194: 7.19  
 17 September 2013 – XI ZR 332/12, ZIP 2013, 2001: 20.19

*Bundesarbeitsgericht (BAG)*

9.9.2010, 2 A ZR 714/08 – ZIP 2011, 444: 12.31

SWEDEN

Arbetsdomstolen, 2.12.2009 – Laval v Byggnads: 20.12

UNITED KINGDOM

Inntrepreneur Estates Ltd v Mason [1993] 2 CMLR 293: 15.15  
 Institute of Independent Insurance Brokers v Director General of Fair Trading [2001] CAT 4: 10.11  
 Bettercare Group Ltd v Director General of Fair Trading [2002] CAT 7: 10.10  
 Napp Pharmaceutical Ltd v Director-General of Fair Trading [2002] CAT 1; on appeal [2002] EWCA Civ 796: 11.38  
 Aberdeen Journal Ltd v Office of Fair Trading [2003] CAT 11: 11.46  
 Crehan v Inntrepreneur Pub Company [2003] EWHC 1510 (Ch): 10.45  
 Genzyme Ltd v Office of Fair Trading [2004] CAT 4: 11.50  
 The Racecourse Association v Office of Fair Trading [2005] CAT 29: 10.63  
 Argos plc and Littlewoods plc v Office for Fair Trading [2006] EWCA Civ 1318: 10.15  
 Attheraces Ltd v The British Horseracing Board Ltd and BHB Enterprises plc [2007] EWCA Civ 38: 11.38  
 The Bolton Pharmaceutical Co 100 Ltd v Doncaster Pharmaceuticals Group Ltd *et al.* [2006] EWCA Civ 661; [2007] FSR 3: 17.5  
 Mastercigars Direct Ltd v Hunters & Frankau Ltd; Corporacion Habanos SA v Mastercigars Direct Ltd *et al.* (Part 20 claim) [2007] EWCA Civ 176: 17.31  
 Abbey National Plc v Office of Fair Trading, UK Supreme Court [2009] 3 WLR 1215; Court of Appeal [2009] 2 WLR 1286: 16.28  
 Och-Ziff Management Europe Ltd v Och Capital LLP [2010] EWHC 2599 (Ch): 17.26  
 Rugby Football Union v Viagogo Ltd, UK Supreme Court [2012] 1 WLR 3333: 17.40  
 Arriva The Shires Ltd v London Luton Airport Operations Ltd [2014] EWHC Ch 64: 11.36  
 Skyscanner Ltd v Competition and Markets Authority [2014] CAT 16: 10.79

## UNITED STATES

Standard Oil Co. v US (1911) 221 US 1: 10.61  
United States v Alcoa [1945] 148 F.2d 416: 9.21, 11.6  
US v Grinnell Corp. (1966) 384 US 563: 11.6  
Brooke Group Ltd v Brown & Williamson Tobacco Co. (1993) 509 US 209: 11.46  
Verizon v Trinko (2004) 540 US 398: 10.38, 10.64, 11.6, 11.50  
Texaco Inc. v Dagher (2006) 547 US 1: 10.61  
Leegin Creative Leather Products v PSKS (2007) 557 US 877: 15.17  
Pacific Bell v Linkline (2007) 503 F.3d 876: 11.50

# TABLE OF SECONDARY LEGISLATION\*

## REGULATIONS

- Council Regulation No. 17: First Regulation implementing Articles 85 and 86 of the Treaty. Special English edition 1956–1962 at 87: 9.1
- Regulation (EEC) No. 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community [1968] OJ L 257/2: 4.1
- 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 (last amended by Council Regulation (EC) No 592/2008 of 24 July 2008 [2008] OJ L 177/1: 7.3
- Council Regulation (EEC) No. 2309/93 of 22 July 1993 laying down Community procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products [1993] OJ L 214/1: 17.12
- Council Regulation (EC) No. 94/40 of 20 December 1993 on the Community trade mark [1994] OJ L 11/1: 17.20, 17.44
- Commission Regulation (EC) No. 2868/95 implementing Regulation 40/94 on the Community Trade Mark of 13 December 1995 [1995] OJ L 301/1: 17.20
- Council Regulation (EC) No. 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters [2001] OJ L 12/1: 14.13, 16.20, 16.21, 16.22, 21.2
- Regulation (EC) No. 45/2001 of the European Parliament and the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by Community institutions and bodies and on the free movement of such data [2001] OJ L 8/1: 18.5
- Regulation (EC) No. 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents [2001] OJ L 145/43: 18.5
- Council Regulation (EC) No. 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty [2003] OJ L 1/1: 1.15, 9.5, 20.4
- Council Regulation (EC) No. 139/2004 of 20 January 2004 on the control of concentrations between undertakings [2004] OJ L 24/1: 9.42
- Regulation (EC) No. 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims [2004] OJ L 143/15: 14.16

---

\* Including repealed and modified acts.

- Regulation (EC) No. 883/2004 of 29 April 2004 of the European Parliament and the Council on the coordination of social security systems [2004] OJ L 166: 5.14
- Regulation (EC) No. 1896/2006 of 12 December 2006 creating a European order for payment procedure [2006] OJ L 399/1: 14.17
- Regulation (EC) No. 861/2007 of the EP and the Council of 11 July 2007 establishing a European Small Claims Procedure [2007] OJ L 199/1: 14.18
- Regulation (EC) No. 864/2007 of the EP and the Council of 11 July 2007 on the law applicable to non-contractual obligations (Rome II) [2007] OJ L 199/40: 17.3, 20.21
- Regulation No. 593/2008 of 17 June 2008 on the law applicable to contractual obligations (Rome I) [2008] OJ L 177/6: 16.5, 16.15, 16.17, 16.18, 16.20, 20.24
- Regulation (EC) No. 765/2008 of the EP and the Council of 9 July 2008 on market surveillance [2008] OJ L 218/30: 8.5
- Council Regulation (EC) No. 207/2009 of 26 February 2009 on the Community trade mark [2009] OJ L 78/1: 17.20, 17.23
- Commission Regulation (EU) No. 330/2010 of 20 April 2010 on the application of Article 101 (3) TFEU to certain categories of vertical agreements and concerted practices [2010] OJ L 102/1: 10.79, 11.43
- Commission Regulation (EU) No. 1217/2010 of 14 December 2010 on the application of Article 101 (3) TFEU to certain categories of research and development agreements [2010] OJ L 335/36: 10.76
- Commission Regulation (EU) No. 1218/2010 of 14 December 2010 on the application of Article 101 (3) TFEU to certain categories of specialisation agreements [2010] OJ L 335/42: 10.77
- Regulation (EU) No. 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement of workers within the Union (codification) [2011] OJ L 141/1: 4.1
- Regulation (EU) No. 236/2012 of the European Parliament and of the Council of 14 March 2012 on short selling and certain aspects of credit default swaps [2012] OJ L 86/1: 3.26
- Regulation (EU) No. 1215/2012 of the EP and of the Council of 12 December 2012 on jurisdiction and recognition and enforcement of judgments in civil and commercial matters (recast) [2012] OJ L 351/1: 14.13, 14.16
- Regulation (EU) No. 462/2013 of the European Parliament and of the Council of 21 May 2013 on credit rating agencies [2013] OJ L 146/1: 20.20
- Commission Regulation (EU) No. 316/2014 of 21 March 2014 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of technology transfer agreements [2014] OJ L 93/17: 17.13
- Regulation (EU) No. 600/2014 of the EP and the Council of 15 May 2014 on markets in financial instruments [2014] OJ L 173/84: 20.19

## DIRECTIVES

First Council Directive 68/151/EEC of 9 March 1968 on co-ordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of

- Article 58 of the Treaty, with a view to making such safeguards equivalent throughout the Community [1968] OJ L 65/8: 20.14
- Council Directive 68/360/EEC of 15 October 1968 on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families [1968] OJ L 257/13: 4.1
- Council Directive 71/305/EEC of 26 July 1971 concerning the co-ordination of procedures for the award of public works contracts [1971] OJ L 185/5: 8.15
- Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of Member States relating to electrical equipment designed for use within certain voltage limits [1973] OJ L 77/29: 8.4
- Council Directive 73/148/EEC of 21 May 1973 on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services [1973] OJ L 172/14: 4.11
- First Council Directive 73/239/EEC of 24 July 1973 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance [1973] OJ L 228/3: 16.17
- Council Directive 75/117/EEC of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women [1975] OJ L 45/19: 12.8
- Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions [1976] OJ L 39/40: **12.9**
- Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products [1976] OJ L 262/169 and later amendments: 16.42
- Council Directive 77/62/EEC of 21 December 1976 coordinating procedures for the award of public supply contracts [1977] OJ L 13/1: 8.15
- Council Directive 80/987/EEC of 20 October 1980 on the approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer [1980] OJ L 283/23: 19.4
- Council Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations [1983] OJ L 109/8: **19.12**
- Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products [1985] OJ L 210/29: **20.10**
- Council Directive 85/577/EEC of 20 December 1985 to protect the consumer in respect of contracts negotiated away from business premises [1985] OJ L 372/31 (repealed by Directive 2011/83 on consumer rights): 16.35, 16.40, 16.48, 16.59
- Council Directive 88/361/EEC of 24 June 1988 for the implementation of Article 67 of the Treaty [1988] OJ L 178/5: 7.1
- Council Directive 88/378/EEC of 3 May 1988 on the approximation of the laws of the Member States concerning the safety of toys [1988] OJ L 187/1, supplemented by Directive 2009/48/EC of 18 June 2009 on toy safety [2009] OJ L 170/1: 5.4

- First Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks [1989] OJ L 40/1: 17.11, 17.20, 17.28, 17.29, 17.30, 17.33, 17.44
- Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation or Administrative Action in Member States concerning the pursuit of television broadcasting activities [1989] OJ L 298/23: 8.7
- Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts [1989] OJ L 395/33: 8.15
- Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours [1990] OJ L 158/59: 19.5, 20.12, 21.2
- Council Directive 90/364/EEC of 28 June 1990 on the right of residence [1990] OJ L 180/26: 4.1, 4.16
- Council Directive 90/365/EEC of 28 June 1990 on the right of residence for employees and self-employed persons who have ceased their occupational activity [1990] OJ L 180/28: 4.1, 4.16
- Council Directive 91/250/EEC of 14 May 1991 on the legal protection of computer programmes [1991] OJ L 122/42 (now replaced by codifying Directive 2009/24/EC of the European Parliament and of the Council of 23 April 2009 on the legal protection of computer programmes [2009] OJ L 111/16): 17.37, 17.47
- Council Directive 92/13/EEC of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors [1992] OJ L 76/1: 8.15
- Council Directive 92/50/EEC of 18 June 1992 relating to the coordination of procedures for the award of public service contracts [1992] OJ L 209/1: 8.15
- Council Directive 92/100/EEC on rental right and lending right and on certain rights related to copyright in the field of intellectual property [1992] OJ L 346/61: 2.17, 17.36, 17.37
- Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts [1993] OJ L 95/29: 2.11, 14.5, 16.26, 16.27, 16.35, 16.39, 16.40, 16.47, 21.2
- Council Directive 93/22/EEC of 10 May 1993 on investment services in the securities field [1993] OJ L 141/27: 20.15
- Council Directive 93/36/EEC of 14 June 1993 coordinating procedures for the award of public supply contracts [1993] OJ L 199/1: 8.15
- Council Directive 93/37/EEC of 14 June 1993 concerning the coordination of procedures for the award of public works contracts [1993] OJ L 199/54: 8.15
- Council Directive 93/38/EEC of 14 June 1993 coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors [1993] OJ L 199/84: 8.15
- Council Directive 93/42/EC of 14 June 1993 concerning medical devices OJ L 169/1: 8.4
- Council Directive 93/83/EEC on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission [1993] OJ L 248/15: 17.37



- Council Directive 93/96/EEC of 29 October 1993 on the right of residence for students [1993] OJ 317/59: 4.1, 4.15
- Council Directive 93/98/EEC of 29 October 1993 harmonizing the term of protection of copyright and certain related rights [1993] OJ L 290/9: 17.34, 17.37
- Directive 94/19/EC of the European Parliament and of the Council of 30 May 1994 on deposit-guarantee schemes [1994] OJ L 135/5: 19.10
- Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data [1995] OJ L 281/31: 13.5, 17.34, 17.37
- Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases [1996] OJ L 77/20: 17.38
- Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning posted workers [1997] OJ L 18/1: 4.6, 7.21
- Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts [1997] OJ L 144/19 (repealed by Directive 2011/83 on consumer rights): 8.11, 16.35, 16.39, 16.59
- Directive 97/9/EC of the European Parliament and of the Council of 3 March 1997 on investor-compensation schemes [1997] OJ L 84/22: 19.10
- Directive 97/36/EC of the European Parliament and of the Council of 30 June 1997 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities [1997] OJ L 202/60: 8.9
- Council Directive 97/80/EC of 15 December 1997 on the burden of proof in cases of discrimination based on sex [1997] OJ L 14/6: 12.15
- Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations [1998] OJ L 204/37: 2.11, 19.14
- Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery [1998] OJ L 80/34: 8.4, 19.7, 19.11
- Directive 98/43/EC of the European Parliament and of the Council of 6 July 1998 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products [1998] OJ L 213/9 (annulled by ECJ case C-376/98): 3.12, 13.9
- Directive 98/48/EC of the European Parliament and of the Council of 20 July 1998 amending Directive 98/34/EC laying down a procedure for the provision of information in the field of technical standards and regulations [1998] OJ L 217/18: 17.48, 19.12
- Directive 98/71/EC of the European Parliament and of the Council of 13 October 1998 on the legal protection of designs [1998] OJ L 289/28: 17.7
- Directive 1999/34/EC of the European Parliament and of the Council of 10 May 1999 amending Council Directive 85/374/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products [1999] OJ L 141/20: 20.11

- Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees [1999] OJ L 171/12: 16.35, 16.39, 16.40, 16.50, 21.2
- Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market [2000] OJ L 178/1: 7.4, **8.11**, 16.41, 16.42, **16.46**, 17.10, 17.40, 17.45
- Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin [2000] OJ L 180/22: **12.21**
- Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation [2000] OJ L 303/16: **12.24**
- Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society [2001] OJ L 167/10: 17.37, 17.38, 17.40, 17.47, 17.48
- Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art [2001] OJ L 272/32: 17.37
- Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety [2002] OJ L 11/4: 8.5
- Council Directive 2002/8/EC of 27 January 2003 concerning legal aid in cross-border litigation [2003] OJ 26/41: 14.18
- Directive 2002/22/EC of 7 March 2002 of the European Parliament and of the Council on universal services in electronic communications [2002] OJ L 108/ 51: 14.5
- Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC [2002] OJ L 271/16: 8.11, 16.39, 16.45
- Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions [2002] OJ L 269/15: 12.9
- Directive 2002/83/EC of the European Parliament and of the Council of 5 November 2002 concerning life assurance [2002] OJ L 345/1: 16.41
- Council Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes [2003] OJ L 26/41 (corrigendum [2003] OJ L 32/15): 14.4, 14.18
- Directive 2003/33/EC of the European Parliament and of the Council of 26 May 2003 relating to the advertising and sponsoring of tobacco products [2003] OJ L 152/16: 3.12
- Directive 2003/71/EC of the European Parliament and of the Council of 4 November 2003 on the prospectus to be published [2013] OJ L 345/64: 20.19
- Council Directive 2003/86/EC of 22 September 2003 on the right to family reunion [2003] OJ L 251/12: **2.22**, **6.1**, **6.22**, **13.9**
- Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents [2004] OJ L 16/44: 5.1, **6.20**

- Directives 2004/17 and 18/EC of the European Parliament and of the Council of 31 March 2004 on procurement procedures [2004] OJ L 134: **8.15**
- Directive 2004/38/EC of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States [2004] OJ L 158/77 (corrigendum [2004] OJ L 229/35): **4.1, 5.11, 21.17**
- Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments [2004] OJ L 145/1: **20.19**
- Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights [2004] OJ L 157/45: **17.8, 17.10, 17.33, 17.40**
- Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between women and men in the access to and supply of goods and services [2004] OJ L 373/37: **12.19**
- Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies etc. [2004] OJ L 375/12: **6.1, 6.23**
- Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No. 2006/2004 of the European Parliament and of the Council [2005] OJ L 149/22: **8.7, 16.39, 16.47, 21.2**
- Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on data retention [2006] OJ L 105/03 (annulled by ECJ judgment of 4 April 2014, case C-293/12): **3.19**
- Recast Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment [2006] OJ L 204/23: **12.8, 12.9**
- Commission Directive 2006/73/EC of 10 August 2006 implementing Directive 2004/39/EC [2006] OJ L 241/20: **20.15**
- Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising (codified version) [2006] OJ L 376/21: **8.7, 16.44**
- Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property [2006] OJ L 376/28; codifying Directive 92/100/EEC of 19 November 1992 on rental right and lending right and on certain rights related to copyright in the field of intellectual property [1992] OJ 346/61 and its various amendments [2006] OJ L 376/28: **17.36**
- Directive 2006/116/EC of the European Parliament and of the Council of 12 December 2006 on the term of protection of copyright and certain related rights (codified version) [2006] OJ L 372/12 as amended by Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 amending Directive 2011/116/EC on the term of protection of copyright and certain legal rights [2011] OJ L 265/1: **17.34, 17.35, 17.37**

- Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market [2006] OJ L 376/36: 7.4, **8.13**, **20.16**
- Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 on audio-visual media services [2007] OJ L 332/27: **8.10**
- Directive 2007/66/EC of the European Parliament and of the Council of 11 December 2007 improving the review procedures concerning the award of public contracts [2008] OJ L 335/31: 8.15
- Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks (codified version) [2008] OJ L 299/25: 17.12, 17.20, 17.33
- Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys [2009] OJ L 170/1: 8.4
- Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment [2009] OJ L 155/17: 6.1, **6.24**
- Directive 2010/13/EU of the European Parliament and the Council of 10 March 2010 [2010] OJ L 95/1: 8.10
- Directive 2010/41/EU of the European Parliament and the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EC [2010] OJ L 180/1: 12.9
- Directive 2011/24/EU of the European Parliament and the Council of 9 March 2011 on the application of patient's rights in cross-border healthcare [2011] OJ 88/45: 7.4, 7.18
- Directive 2011/51/EU of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection [2011] OJ L 132/1: 6.1
- Directive 2011/61/EU of the European Parliament and the Council of 8 June 2011 on alternative investment fund managers [2011] OJ L 174/1: 20.16
- Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 amending Directive 2006/116/EC on the term of protection of copyright and certain related rights [2011] OJ L 265/1: 17.34, 17.35
- Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council [2011] OJ L 304/64: 16.40, **16.44**, 16.48, 16.49, 21.3
- Directive 2014/23/EU of the European Parliament and the Council of 26 February 2014 on the award of concession contracts [2014] OJ L 94/1: 8.19
- Directive 2014/24/EU of the European Parliament and the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC [2014] OJ L 94/96: **8.19**
- Directive 2014/25/EU of the European Parliament and the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC [2014] OJ L 94/243: 8.19
- Directive 2014/65/EU of the European Parliament and the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and 2011/61/EU [2014] OJ L 173/349: **20.19**

- Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features [2014] OJ L 257/214: **12.32**
- Directive 2014/104/EU of the European Parliament and the Council of 26 November 2014 on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union [2014] OJ L 349/1: **20.10**

## LIST OF ABBREVIATIONS

AcP	Archiv für die civilistische Praxis
ADR	alternative dispute resolution
AG	Advocate General at the Court of Justice
All ER (EC)	All England Law Reports (EC)
AmJCompL	American Journal of Comparative Law
Art.	Article
B2B	business-to-business
B2C	business-to-consumer
BGB	Bürgerliches Gesetzbuch (German Civil Code)
BGH(Z)	Bundesgerichtshof (German Federal Court), Zivilsachen (civil law reports)
BR Drucks.	Bundesrats-Drucksache (Second Chamber of German Parliament, printed matter)
BT Drucks.	Bundestags-Drucksache (First Chamber)
BVerfG(E)	Bundesverfassungsgericht (Federal Constitutional Court, reports of cases)
CESL	Common European Sales Law
CFR	Common Frame of Reference
CIPAJ	Chartered Institute of Patent Agents Journal
CISG	Convention on the International Sale of Goods
CJEU	Court of Justice of the European Union
CJQ	Civil Justice Quarterly
CLJ	Cambridge Law Journal
CMLR	Common Market Law Reports
CMLRev	Common Market Law Review
COM	(EU) Commission document
CRD	Consumer Rights Directive (2011/83/EU)
CTM	Community Trade Mark
DCFR	Draft Common Frame of Reference
DJT	Deutscher Juristentag/German Law Associations Meeting
EBLRev	European Business Law Review
EC	European Community
ECHR	European Convention of Human Rights
ECJ	Court of Justice of the EU
ECLR	European Competition Law Review

ECR	European Court Reports
ECTHR	European Court of Human Rights
ed(s)	editor(s)
edn	edition
EdinLR	Edinburgh Law Review
EEC	European Economic Community
EFTA	European Free Trade Area
e.g.	exempli gratia (for example)
EIPR	European Intellectual Property Review
EJL&E	European Journal of Law and Economics
ELJ	European Law Journal
ELRev	European Law Review
EP	European Parliament
ERA	Europäische Rechtsakademie (European Legal Academy)
ERCL	European Review of Contract Law
ERPL	European Review of Private Law
EuR	Europarecht
EWS	Europäisches Wirtschaftsrecht
EU	European Union
EUI	European University Institute, Florence
EUVR	Zeitschrift für Europäisches Unternehmens- und Wirtschaftsrecht/Journal of European Consumer and Market Law
EuZA	Europäische Zeitschrift für Arbeitsrecht
EuZW	Europäische Zeitschrift für Wirtschaftsrecht
EWCA	Court of Appeal of England and Wales
EWHC	High Court of England and Wales
GermLJ	German Law Journal
GPR	Gemeinschaftsprivatrecht
Ibid	ibidem (in the same place)
IBLR	International Business Law Journal
ICLQ	International Law Quarterly
IIC	International Review of Intellectual Property and Competition Law
IJPL	International Journal of Private Law
IP	intellectual property
IPQ	Intellectual Property Quarterly
ICCLR	International Company and Commercial Law Review
JCP	Journal of Consumer Policy
JECL & Pract	Journal of European Competition Law and Practice
Juridica Int.	Juridica International (Tartu/Estonia)
JZ	Juristenzeitung

KritJ	Kritische Justiz
LQR	Law Quarterly Review
MiFID I/II	Markets in Financial Instruments Directive (2004/39 + 2014/65)
MJ	Maastricht Journal of European and Comparative Law
MLR	Modern Law Review
MPI	Max-Planck-Institut
NJW	Neue Juristische Wochenschrift
OFT	Office of Fair Trading
OJ L/C	Official Journal of the EU, legislation or communication series
OJLS	Oxford Journal of Legal Studies
para(s)	paragraph(s)
PECL	Principles of European Contract Law
PICL	Principles of International Contract Law
RabelsZ	Rabels Zeitschrift für ausländisches und internationales Privatrecht
RIDE	Revue internationale de droit économique
RIW	Recht der Internationalen Wirtschaft
RTDEur	Revue trimestrielle du droit européen
SI	Statutory Instrument (UK)
SLT	Scots Law Times
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the EU
UKHL	UK House of Lords cases
UKSC	UK Supreme Court cases
VuR	Verbraucher und Recht
WiscIntLJ	Wisconsin International Law Journal
WLR	Weekly Law Reports
YEL	(Oxford) Yearbook of European Law
ZEuP	Zeitschrift für Europäisches Privatrecht
ZIP	Zeitschrift für Wirtschaftsrecht
ZVerglRWiss	Zeitschrift für vergleichende Rechtswissenschaft