

By order of 15 September 2022, the Court of Justice (Eighth Chamber) dismissed the appeal as being in part manifestly inadmissible and in part manifestly unfounded, and ordered the appellants to bear their own costs.

**Appeal brought on 17 June 2022 by Mandelay Magyarország Kereskedelmi Kft. (Mandelay Kft.)
against the order of the General Court (Ninth Chamber) delivered on 6 April 2022 in Case T-516/20,
Mandelay v EUIPO — Qx World**

(Case C-405/22 P)

(2022/C 482/04)

Language of the case: English

Parties

Appellant: Mandelay Magyarország Kereskedelmi Kft. (Mandelay Kft.) (represented by: V. Luszcz, C. Sár and E. Ulviczki, ügyvédek)

Other parties to the proceedings: European Union Intellectual Property Office

By order of 8 November 2022, the Court of Justice (Chamber determining whether appeals may proceed) held that the appeal was not allowed to proceed and that Mandelay Kft. should bear its own costs.

**Request for a preliminary ruling from the Tribunal Supremo (Spain) lodged on 21 July 2022 — Novo
Banco SA — Sucursal en España, Banco de Portugal, Fundo de Resolução v C.F.O.**

(Case C-498/22)

(2022/C 482/05)

Language of the case: Spanish

Referring court

Tribunal Supremo

Parties to the main proceedings

Appellants in the appeal in cassation: Novo Banco SA — Sucursal en España, Banco de Portugal, Fundo de Resolução

Respondent in the appeal in cassation: C.F.O.

Questions referred

1. Is an interpretation of Article 3(2) of Directive 2001/24⁽¹⁾ which entails the recognition in a host Member State of the effects of a decision by the competent administrative authority of the home Member State which has not been published in the manner required by Article 6(1) to (4) of Directive 2001/24 compatible with the fundamental right to effective judicial protection under Article 47 of the Charter of Fundamental Rights of the European Union ('the Charter'), the general principle of legal certainty and the principle of equality and the prohibition of any discrimination on grounds of nationality under Article 21(2) of the Charter?
2. Is an interpretation of Article 3(2) of Directive 2001/24 which entails the recognition in a host Member State of the effects of a decision by the competent administrative authority of the home Member State which excluded certain obligations and responsibilities from the transfer to a 'bridge bank' of the ordinary business and a number of the assets and liabilities of the bank to which the reorganisation measures apply compatible with the fundamental right to effective judicial protection under Article 47 of the Charter and the general principle of legal certainty, where the subsequent conduct of the 'bridge bank', acting under the control of a public authority applying EU law, itself created among customers in the host Member State a legitimate expectation that the 'bridge bank' had assumed the liabilities corresponding to the responsibilities and obligations which the bank forming the subject of the reorganisation measure held in relation to those customers?

3. Is an interpretation of Article 3(2) of Directive 2001/24 which entails the recognition in a host Member State of the effects of a decision of the competent administrative authority of the home Member State which transfers to a 'bridge bank' the creditor position under a mortgage loan contract but leaves with the failing bank the obligation to reimburse to the consumer borrower the sums collected pursuant to an unfair term in that contract compatible with the fundamental right to property under Article 17 of the Charter, the principle of a high level of consumer protection under Article 38 of the Charter, Article 6(1) of Directive 1993/13/EEC ⁽²⁾ of 5 April 1993 and the general principle of legal certainty?

⁽¹⁾ Directive 2001/24/EC of the European Parliament and of the Council of 4 April 2001 on the reorganisation and winding up of credit institutions (OJ 2001 L 125, p. 15).

⁽²⁾ Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ 1993 L 95, p. 29).

Request for a preliminary ruling from the Tribunal Supremo (Spain) lodged on 22 July 2022 — Novo Banco SA — Sucursal en España, Banco de Portugal, Fundo de Resolução v J.M.F.T., M.H.D.S.

(Case C-499/22)

(2022/C 482/06)

Language of the case: Spanish

Referring court

Tribunal Supremo

Parties to the main proceedings

Appellants and respondents in the appeal in cassation: Novo Banco SA — Sucursal en España, Banco de Portugal, Fundo de Resolução

Respondents and appellants in the appeal in cassation: J.M.F.T., M.H.D.S.

Questions referred

1. Is an interpretation of Article 3(2) of Directive 2001/24 ⁽¹⁾ which entails the recognition in a host Member State of the effects of a decision by the competent administrative authority of the home Member State which has not been published in the manner required by Article 6(1) to (4) of Directive 2001/24 compatible with the fundamental right to effective judicial protection under Article 47 of the Charter of Fundamental Rights of the European Union ('the Charter'), the general principle of legal certainty and the principle of equality and the prohibition of any discrimination on grounds of nationality under Article 21(2) of the Charter?
2. Is an interpretation of Article 3(2) of Directive 2001/24 which entails the recognition in a host Member State of the effects of a decision by the competent administrative authority of the home Member State which excluded certain obligations and responsibilities from the transfer to a 'bridge bank' of the ordinary business and a number of the assets and liabilities of the bank to which the reorganisation measures apply compatible with the fundamental right to effective judicial protection under Article 47 of the Charter and the general principle of legal certainty, where the subsequent conduct of the 'bridge bank', acting under the control of a public authority applying EU law, itself created among customers in the host Member State a legitimate expectation that the 'bridge bank' had assumed the liabilities corresponding to the responsibilities and obligations which the bank forming the subject of the reorganisation measure held in relation to those customers?