

## V

(Announcements)

## COURT PROCEEDINGS

## COURT OF JUSTICE

**Appeal brought on 10 March 2023 by Puma SE against the judgment of the General Court (Sixth Chamber) delivered on 21 December 2022 in Case T-4/22, Puma v EUIPO — DN Solutions (PUMA)**

(Case C-145/23 P)

(2023/C 304/02)

*Language of the case: English*

**Parties**

*Appellant:* Puma SE (represented by: M. Schunke and P. Trieb, Rechtsanwälte)

*Other parties to the proceedings:* European Union Intellectual Property Office (EUIPO), DN Solutions Co. Ltd., formerly Doosan Machine Tools Co. Ltd.

By order of 17 July 2023, the Court of Justice (Chamber determining whether appeals may proceed) held that the appeal was not allowed to proceed and that Puma SE should bear its own costs.

**Request for a preliminary ruling from the Tribunal Superior de Justicia de Cataluña (Spain) lodged on 24 March 2023 — CL and Others v DB, sole successor to FC, and Fondo de Garantía Salarial (FOGASA)**

(Case C-196/23)

(2023/C 304/03)

*Language of the case: Spanish*

**Referring court**

Tribunal Superior de Justicia de Cataluña

**Parties to the main proceedings**

*Applicants:* CL and Others

*Defendant:* DB, sole successor to FC, and Fondo de Garantía Salarial (FOGASA)

**Questions referred**

1. Is legislation such as the Spanish legislation <sup>(1)</sup> (Article 49(1)(e) of Real Decreto Legislativo 2/2015 por el que se aprueba el texto refundido de la Ley del Estatuto de los Trabajadores (Royal Legislative Decree 2/2015 approving the consolidated text of the Law on the Workers' Statute) of 23 October 2015), which does not establish a period of consultation in situations where contracts of employment in excess of the number laid down in Article 1 of that directive are terminated as a result of the retirement of the natural person employer, compatible with Article 2 of Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies?

2. If the answer to the preceding question is in the negative, does Directive 98/59 have direct horizontal effect between individuals?

(<sup>1</sup>) OJ 1998 L 225. p. 16.

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**Request for a preliminary ruling from the Tribunal da Concorrência, Regulação e Supervisão (Portugal) lodged on 24 April 2023 — IMI — Imagens Médicas Integradas SA v Autoridade da Concorrência**

**(Case C-258/23, Imagens Médicas Integradas)**

(2023/C 304/04)

*Language of the case: Portuguese*

**Referring court**

Tribunal da Concorrência, Regulação e Supervisão

**Parties to the main proceedings**

*Applicant:* IMI — Imagens Médicas Integradas SA

*Defendant:* Autoridade da Concorrência

**Questions referred**

- I. Do the business records at issue in this case, which are transmitted by e-mail, constitute ‘correspondence’ for the purposes of Article 7 of the Charter of Fundamental Rights of the European Union?
- II. Does Article 7 of the Charter of Fundamental Rights of the European Union preclude business records arising from e-mail communications between managers and employees of undertakings from being seized in the course of an investigation into agreements and practices prohibited under Article 101 TFEU (ex Article 81 TEC)?
- III. Does Article 7 of the Charter of Fundamental Rights of the European Union preclude such business records from being seized on the prior authorisation of a judicial authority, in this case the Public Prosecutor’s Office, which is responsible for representing the State, defending the interests determined by law, bringing criminal prosecutions on the basis of the principle of legality and defending democratic legality in accordance with the Constitution, and which operates independently of the other central, regional and local authorities?

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**Request for a preliminary ruling from the Tribunal da Concorrência, Regulação e Supervisão (Portugal) lodged on 24 April 2023 — Synlabhealth II SA v Autoridade da Concorrência**

**(Case C-259/23, Synlabhealth II)**

(2023/C 304/05)

*Language of the case: Portuguese*

**Referring court**

Tribunal da Concorrência, Regulação e Supervisão

**Parties to the main proceedings**

*Applicant:* Synlabhealth II SA

*Defendant:* Autoridade da Concorrência