

**Request for a preliminary ruling from the Raad van State (Netherlands) lodged on 31 May 2017 —
Directie van de Dienst Wegverkeer (RDW) and Others, Other party: Z**

(Case C-326/17)

(2017/C 293/19)

Language of the case: Dutch

Referring court

Raad van State

Parties to the main proceedings

Applicants: Directie van de Dienst Wegverkeer (RDW), X, Y

Other party to the proceedings: Z

Questions referred

1. Is Council Directive 1999/37/EC⁽¹⁾ of 29 April 1999 on the registration documents for vehicles (OJ 1999 L 138, p. 57) applicable to motor vehicles which existed before 29 April 2009, the date on which the Member States had to apply the laws, regulations and administrative provisions required to implement Directive 2007/46/EC⁽²⁾ of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ 2007 L 263, p. 1)?
2. Is a motor vehicle composed of essential parts which were manufactured before the application of Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ 2007 L 263, p. 1) and, on the other hand, of essential parts which were only added after the application of that Directive, a motor vehicle which already existed before the application of that Directive, or has such a motor vehicle only come into existence after the application of that Directive?
3. Having regard to Article 3(2) of Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles (OJ 1999 L 138, p. 57), does the recognition obligation as referred to in Article 4 of that Directive apply in full if the data represented by certain Community codes (made compulsory under the Annexes to that Directive) have not been filled in, when those data could easily have been obtained?
4. Is it permissible under Article 4 of Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles (OJ 1999 L 138, p. 57) to recognise a registration certificate of another Member State, but to nevertheless submit the vehicle concerned to a technical check within the meaning of Article 24(6) of Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ 2007 L 263, p. 1) and, if the vehicle fails to meet the technical requirements of the Member State, to impose the condition that the issue of the registration certificate will be refused?

⁽¹⁾ OJ 1999 L 138, p. 57.

⁽²⁾ OJ 2007 L 263, p. 1.

**Request for a preliminary ruling from the Bundesgerichtshof (Germany) lodged on 2 June 2017 —
Verbraucherzentrale Baden-Württemberg e. V. v Germanwings GmbH**

(Case C-330/17)

(2017/C 293/20)

Language of the case: German

Referring court

Bundesgerichtshof

Parties to the main proceedings

Applicant: Verbraucherzentrale Baden-Württemberg e. V.

Defendant: Germanwings GmbH

Questions referred

1. Must the air fares for intra-Community air services to be indicated under the second and third sentences of Article 23(1) of Regulation (EC) No 1008/2008 ⁽¹⁾ be indicated in a particular currency, in so far as they are not expressed in euro?
2. If Question 1 is answered in the affirmative:

In which local currency may the prices referred to in Article 2(18) and the second and third sentences of Article 23(1) of Regulation (EC) No 1008/2008 be indicated, where an air carrier established in a Member State (in the present case Germany) advertises and offers an air service with a point of departure in another Member State (in this case the United Kingdom) to a consumer on the internet?

In this respect, does it depend on whether an internet address with a country-specific top-level domain (in this case: www.germanwings.de) that refers to the Member State in which the air carrier is established and in which the consumer resides is used for the offer?

Is it relevant that all or the overwhelming majority of air carriers indicate the prices in question in the local currency used in the place of departure?

⁽¹⁾ Regulation (EC) No 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation in air services in the Community, OJ 2008 L 293, p. 3.

**Request for a preliminary ruling from the Bundespatentgericht (Germany) lodged on 13 June 2017 —
S v EA and Others**

(Case C-367/17)

(2017/C 293/21)

Language of the case: German

Referring court

Bundespatentgericht

Parties to the main proceedings

Applicant: S

Opponents: EA, EB, EC

Questions referred

1. Is the decision on an application lodged with the competent national authority (in this case, the Deutsches Patent- und Markenamt (German Patent and Trade Mark Office)) on 15 February 2007 for an amendment to the specification of a protected geographical indication to the effect that the slicing and packaging of the product (in this case, Schwarzwälder Schinken) may take place only in the production area to be taken on the basis of Regulation No 510/2006 ⁽¹⁾, which was in force at the time of the application, or on the basis of Regulation No 1151/2012 ⁽²⁾, which is the legislation currently in force at the time of the decision?
2. If the decision is to be taken on the basis of Regulation No 1151/2012 which is currently in force:
 - 2.1 (a) Does the fact that incorrect transportation of the product to other areas for the purposes of further processing (slicing and packaging) may have a harmful effect on its authentic flavour, authentic quality and durability represent, from the point of view of quality assurance of the product, a sufficient product-specific justification within the meaning of Article 7(1)(e) of Regulation No 1151/2012 such that slicing and packaging may take place only in the production area?
 - (b) Do requirements for slicing and packaging set out in the specification which do not go beyond the applicable food hygiene standards represent, from the point of view of quality assurance of the product, a sufficient product-specific justification within the meaning of Article 7(1)(e) of Regulation No 1151/2012 such that slicing and packaging may take place only in the production area?