

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Commission of the European Communities to pay the costs;
3. Orders the Kingdom of Spain and the Republic of Finland to bear their own costs.

(¹) OJ C 94, 17.04.2004.

Judgment of the Court (Second Chamber) of 16 February 2006 (reference for a preliminary ruling from the Regeringsrätten) — Amy Rockler v Försäkringskassan, formerly Riksförsäkringsverket

(Case C-137/04) (¹)

(Freedom of movement for workers — Officials and servants of the European Communities — Parental benefits — Taking into account of the period of affiliation to the Joint Sickness Insurance Scheme of the European Communities)

(2006/C 131/17)

Language of the case: Swedish

Referring court

Regeringsrätten

Parties to the main proceedings

Applicant: Amy Rockler

Defendant: Försäkringskassan, formerly Riksförsäkringsverket

Re:

Reference for a preliminary ruling — Regeringsrätten — Interpretation of Article 39 EC — Right to parental benefit ('föräldrapenning') — No account taken of period of cover by the Joint Sickness Insurance Scheme provided for by the Staff Regulations of Officials of the European Communities

Operative part of the judgment

Article 48 of the EC Treaty (now, after amendment, Article 39 EC) is to be interpreted as meaning that, where national legislation such as that at issue in the main proceedings applies, the period during which a worker was affiliated to the Joint Sickness Insurance Scheme of the European Communities must be taken into account.

(¹) OJ C 106, 30.04.2004.

Judgment of the Court (Grand Chamber) of 14 March 2006 — Commission of the European Communities v French Republic

(Case C-177/04) (¹)

(Failure of a Member State to fulfil obligations — Directive 85/374/EEC — Product liability — Judgment of the Court finding a failure to fulfil obligations — Failure to take measures to comply — Article 228 EC — Financial penalties — Partial compliance with the judgment during the proceedings)

(2006/C 131/18)

Language of the case: French

Parties

Applicant: Commission of the European Communities (represented by G. Valero Jordana and B. Stromsky, Agents)

Defendant: French Republic (represented by G. de Bergues and R. Loosli, Agents)

Re:

Failure of a Member State to fulfil obligations — Failure to give effect to the judgment delivered by the Court on 25 April 2002 in Case C-52/00 concerning the incorrect transposition of 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 (OJ 1985 L 210, p. 29) — Failure to amend the provisions of the French Civil Code — Application for imposition of a penalty payment