

**Reference for a preliminary ruling from the Sächsisches Landessozialgericht (Germany), lodged on 30 July 2007 — Kattner Stahlbau GmbH v Maschinenbau- und Metall-Berufsgenossenschaft**

(Case C-350/07)

(2007/C 269/37)

*Language of the case: German*

**Referring court**

Sächsisches Landessozialgericht

**Parties to the main proceedings**

*Applicant:* Kattner Stahlbau GmbH

*Defendants:* Maschinenbau- und Metall-Berufsgenossenschaft

**Questions referred**

1. Is the respondent Maschinenbau- und Metall-Berufsgenossenschaft an undertaking within the meaning of Articles 81 EC and 82 EC?
2. Does the compulsory affiliation of the appellant to the respondent infringe Community law?

**Reference for a preliminary ruling from the Verwaltungsgericht Stuttgart (Germany), lodged on 2 August 2007 — Kulpa Automatenervice Asperg GmbH v Land Baden-Württemberg**

(Case C-358/07)

(2007/C 269/38)

*Language of the case: German*

**Referring court**

Verwaltungsgericht Stuttgart

**Parties to the main proceedings**

*Applicant:* Kulpa Automatenervice Asperg GmbH

*Defendant:* Land Baden-Württemberg

**Questions referred**

1. Are Articles 43 and 49 EC to be interpreted as precluding a national monopoly on certain gaming, such as sports betting and lotteries, where there is no consistent and systematic

policy to limit gaming in the Member State concerned as a whole, because the operators which have been granted a licence within that Member State encourage and advertise participation in other gaming — such as State-run sports betting and lotteries — and, moreover, other games with the same or even higher potential danger of addiction — such as betting on certain sporting events (horse racing), slot machines and casino games — may be provided by private service providers?

2. Are Articles 43 and 49 EC to be interpreted as meaning that authorisations to operate sports betting, granted by the competent State bodies of the Member States, which are not restricted to the particular national territory, entitle the holder of the authorisation and third parties appointed by it to make and implement offers to conclude contracts in other Member States as well without any additional national authorisations being required?

**Reference for a preliminary ruling from the Verwaltungsgericht Stuttgart (Germany), lodged on 2 August 2007 — SOBO Sport & Entertainment GmbH v Land Baden-Württemberg**

(Case C-359/07)

(2007/C 269/39)

*Language of the case: German*

**Referring court**

Verwaltungsgericht Stuttgart

**Parties to the main proceedings**

*Applicant:* SOBO Sport & Entertainment GmbH

*Defendant:* Land Baden-Württemberg

**Questions referred**

1. Are Articles 43 and 49 EC to be interpreted as precluding a national monopoly on certain gaming, such as sports betting and lotteries, where there is no consistent and systematic policy to limit gaming in the Member State concerned as a whole, because the operators which have been granted a licence within that Member State encourage and advertise participation in other gaming — such as State-run sports betting and lotteries — and, moreover, other games with the same or even higher potential danger of addiction — such as betting on certain sporting events (horse racing), slot machines and casino games — may be provided by private service providers?