

Other party to the proceedings: European Commission (represented by: L. Bouyon and H. van Vliet, Agents)

Defendant: Nationale Nederlanden Vida Compañía de Seguros y Reaseguros S.A.E.

Re:

Appeal against the judgment of 29 September 2009 of the Court of First Instance (First Chamber) in Joined Cases T-225/07 and T-364/07 *Thomson Sales Europe v Commission* by which the Court dismissed the appellant's action for annulment of Commission Decision REM No 03/05 of 7 May 2007 informing the French authorities that remission of import duties on the colour television receivers manufactured in Thailand covered by their application of 14 September 2005 was not justified, and for annulment of the Commission's letter of 20 July 2007 not confirming entitlement to a waiver of post-clearance recovery of import duties on those items — Procedure relating to the application for remission of duties claimed on the basis of Article 239 of the Customs Code and for waiver of post-clearance recovery of those duties on the basis of Article 220(2)(b) of the Code — Failure to respect the rights of the defence — Error in the legal characterisation of the facts

Operative part of the order

1. *The appeal is dismissed;*
2. *Thomson Sales Europe shall pay the costs.*

⁽¹⁾ OJ C 80, of 27.03.2010.

Reference for a preliminary ruling from the Audiencia Provincial de Oviedo (Spain) lodged on 13 July 2010 — Ángel Lorenzo González Alonso v Nationale Nederlanden Vida Compañía de Seguros y Reaseguros S.A.E.

(Case C-352/10)

(2010/C 288/29)

Language of the case: Spanish

Referring court

Audiencia Provincial de Oviedo

Parties to the main proceedings

Applicant: Ángel Lorenzo González Alonso

Question referred

Must Article 3(2)(d) of Council Directive 85/577/EEC ⁽¹⁾ of 20 December 1985 to protect the consumer in respect of contracts negotiated away from business premises be interpreted restrictively so as not to cover a contract, concluded away from business premises, under which life assurance is offered in return for payment of a monthly premium to be invested, in varying proportions, in fixed-rate investments, variable-rate investments and financial investment products of the company itself?

⁽¹⁾ OJ 1985 L 372, p. 31.

Reference for a preliminary ruling from the Rechtbank van eerste aanleg te Brussel (Belgium) lodged on 19 July 2010 — Belgische Vereniging van Auteurs, Componisten en Uitgevers (Sabam) v Netlog NV

(Case C-360/10)

(2010/C 288/30)

Language of the case: Dutch

Referring court

Rechtbank van eerste aanleg te Brussel

Parties to the main proceedings

Applicant: Belgische Vereniging van Auteurs, Componisten en Uitgevers (Sabam)

Defendant: Netlog NV

Question referred

Do Directives 2001/29 ⁽¹⁾ and 2004/48, ⁽²⁾ in conjunction with Directives 95/46, ⁽³⁾ 2000/31 ⁽⁴⁾ and 2002/58, ⁽⁵⁾ construed in particular in the light of Articles 8 and 10 of the European Convention on the Protection of Human Rights and Fundamental Freedoms, permit Member States to authorise a national court, before which substantive proceedings have been brought and on the basis merely of a statutory provision stating that: 'They [the national courts] may also