

Judgment of the Court (Fourth Chamber) of 5 June 2014 (request for a preliminary ruling from the Supreme Court of the United Kingdom — United Kingdom) — Public Relations Consultants Association Ltd v The Newspaper Licensing Agency Ltd and Others

(Case C-360/13) ⁽¹⁾

(Copyright — Information Society — Directive 2001/29/EC — Article 5(1) and (5) — Reproduction — Exceptions and limitations — Creation of copies of an internet site on-screen and in the cache of the hard disk in the course of browsing the internet — Temporary act of reproduction — Transient or incidental act — Integral and essential part of a technological process — Lawful use — Independent economic significance)

(2014/C 253/16)

Language of the case: English

Referring court

Supreme Court of the United Kingdom

Parties to the main proceedings

Appellant: Public Relations Consultants Association Ltd

Respondents: The Newspaper Licensing Agency Ltd and Others

Re:

Request for a preliminary ruling — Supreme Court of the United Kingdom — Interpretation of Article 5(1) of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (OJ 2001 L 167, p. 10) — Reproduction right — Exceptions and limitations — Concept of temporary, transient or incidental acts of reproduction which constitute an integral and essential part of a technological process — Reproduction of a webpage which is automatically stored in the memory cache and on the screen of a computer

Operative part of the judgment

Article 5 of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society must be interpreted as meaning that the copies on the user's computer screen and the copies in the internet 'cache' of that computer's hard disk, made by an end-user in the course of viewing a website, satisfy the conditions that those copies must be temporary, that they must be transient or incidental in nature and that they must constitute an integral and essential part of a technological process, as well as the conditions laid down in Article 5(5) of that directive, and that they may therefore be made without the authorisation of the copyright holders.

⁽¹⁾ OJ C 260, 7.9.2013.

Judgment of the Court (Grand Chamber) of 27 May 2014 (request for a preliminary ruling from the Oberlandesgericht Nürnberg — Germany) — Criminal proceedings against Zoran Spasic

(Case C-129/14 PPU) ⁽¹⁾

(Reference for a preliminary ruling — Urgent preliminary ruling procedure — Police and judicial cooperation in criminal matters — Charter of Fundamental Rights of the European Union — Articles 50 and 52 — Ne bis in idem principle — Convention Implementing the Schengen Agreement — Article 54 — Penalty which 'has been enforced' or which is 'actually in the process of being enforced')

(2014/C 253/17)

Language of the case: German

Referring court

Oberlandesgericht Nürnberg