

Request for a preliminary ruling from the Benelux Gerechtshof lodged on 13 April 2015 — Montis Design BV v Goossens Meubelen BV

(Case C-169/15)

(2015/C 228/04)

Language of the case: Dutch

Referring court

Benelux Gerechtshof

Parties to the main proceedings

Applicant: Montis Design BV

Defendant: Goossens Meubelen BV

Questions referred

1) Is the term of protection referred to in Article 10, in conjunction with Article 13(1), of Directive 93/98/EEC (the Term of Protection Directive) ⁽¹⁾ applicable to rights of copyright that were originally protected by national copyright law but which lapsed before 1 July 1995 on the ground that a formal condition had not been satisfied (in due time), more specifically because a maintenance declaration, as referred to in Article 21(3) of the Uniform Benelux Law on Designs and Models (old version), had not been filed (in due time)?

2) If the answer to Question 1 is in the affirmative:

Must the Term of Protection Directive be construed as precluding a rule of national legislation under which the copyright in a work of applied art that lapsed before 1 July 1995 on the ground that a formal condition had not been satisfied is deemed to have lapsed permanently?

3) If the answer to Question 2 is in the affirmative:

If, under national legislation, the copyright in question is to be considered to revive or to be revived at a certain time, from what date does such revival occur?

⁽¹⁾ Council Directive 93/98/EEC of 29 October 1993 harmonising the term of protection of copyright and certain related rights (OJ 1993 L 290, p. 9), now Directive 2006/116/EC of the European Parliament and of the Council of 12 December 2006 on the terms of protection of copyright and certain related rights (codified version) (OJ 2006 L 372, p. 12).

Request for a preliminary ruling from the Fővárosi Törvényszék (Hungary) lodged on 21 April 2015 — Daimler AG v Együd Garage Gépjárműjavító és Értékesítő Kft.

(Case C-179/15)

(2015/C 228/05)

Language of the case: Hungarian

Referring court

Fővárosi Törvényszék

Parties to the main proceedings

Applicant: Daimler AG

Defendant: Együd Garage Gépjárműjavító és Értékesítő Kft.