

Judgment of the Court (Third Chamber) of 16 July 2015 — European Commission v Italian Republic
(Case C-653/13) ⁽¹⁾

(Failure of a Member State to fulfil obligations — Environment — Directive 2006/12/EC — Articles 4 and 5 — Waste management — Region of Campania — Judgment of the Court — Finding of a failure to fulfil obligations — Failure to comply in full with a judgment of the Court — Article 260(2) TFEU — Financial penalties — Penalty payment — Lump sum payment)

(2015/C 311/06)

Language of the case: Italian

Parties

Applicant: European Commission (represented by: D. Recchia and E. Sanfrutos Cano, acting as Agents)

Defendant: Italian Republic (represented by G. Palmieri, acting as Agent, and by S. Fiorentino, avvocato dello Stato)

Operative part of the judgment

The Court:

1. declares that, by failing to adopt all the measures necessary to comply with the judgment in *Commission v Italy* (C-297/08, EU:C:2010:115), the Italian Republic has failed to fulfil its obligations under Article 260(1) TFEU,
2. orders the Italian Republic to pay the European Commission, into the account 'European Union own resources', a penalty payment of EUR 120 000 for each day of delay in adopting the measures necessary to ensure compliance with the judgment in *Commission v Italy* (C-297/08, EU:C:2010:115), from the day of delivery of the judgment in the present case until the day on which the judgment in *Commission v Italy* (C-297/08, EU:C:2010:115) is complied with,
3. orders the Italian Republic to pay the European Commission a lump sum, into the account 'European Union own resources', of EUR 20 million,
4. orders the Italian Republic to pay the costs.

⁽¹⁾ OJ C 93, 29.3.2014.

Judgment of the Court (First Chamber) of 16 July 2015 (request for a preliminary ruling from the Hoge Raad der Nederlanden — Netherlands) — Diageo Brands BV v Simiramida-04 EOOD

(Case C-681/13) ⁽¹⁾

(Reference for a preliminary ruling — Judicial cooperation in civil matters — Regulation (EC) No 44/2001 — Recognition and enforcement of judgments — Grounds for refusing enforcement — Infringement of public policy in the State in which recognition is sought — Judgment given by a court in another Member State contrary to EU law on trade marks — Directive 2004/48/EC — Enforcement of intellectual property rights — Legal costs)

(2015/C 311/07)

Language of the case: Dutch

Referring court

Hoge Raad der Nederlanden