

Operative part of the judgment

The Court:

1. *Dismisses the action;*
2. *Orders the Council of the European Union to pay the costs;*
3. *Orders the Czech Republic, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Lithuania, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland and the United Kingdom of Great Britain and Northern Ireland to bear their own costs.*

⁽¹⁾ OJ C 93, 29.3.2014.

Judgment of the Court (Grand Chamber) of 6 October 2015 (request for a preliminary ruling from the High Court (Ireland)) — Maximillian Schrems v Data Protection Commissioner

(Case C-362/14) ⁽¹⁾

(Reference for a preliminary ruling — Personal data — Protection of individuals with regard to the processing of such data — Charter of Fundamental Rights of the European Union — Articles 7, 8 and 47 — Directive 95/46/EC — Articles 25 and 28 — Transfer of personal data to third countries — Decision 2000/520/EC — Transfer of personal data to the United States — Inadequate level of protection — Validity — Complaint by an individual whose data has been transferred from the European Union to the United States — Powers of the national supervisory authorities)

(2015/C 398/06)

Language of the case: English

Referring court

High Court (Ireland)

Parties to the main proceedings

Applicant: Maximillian Schrems

Respondent: Data Protection Commissioner

Operative part of the judgment

1. Article 25(6) of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29 September 2003, read in the light of Articles 7, 8 and 47 of the Charter of Fundamental Rights of the European Union, must be interpreted as meaning that a decision adopted pursuant to that provision, such as Commission Decision 2000/520/EC of 26 July 2000 pursuant to Directive 95/46 on the adequacy of the protection provided by the safe harbour privacy principles and related frequently asked questions issued by the US Department of Commerce, by which the European Commission finds that a third country ensures an adequate level of protection, does not prevent a supervisory authority of a Member State, within the meaning of Article 28 of that directive as amended, from examining the claim of a person concerning the protection of his rights and freedoms in regard to the processing of personal data relating to him which has been transferred from a Member State to that third country when that person contends that the law and practices in force in the third country do not ensure an adequate level of protection.
2. Decision 2000/520 is invalid.

⁽¹⁾ OJ C 351, 6.10.2014.

Judgment of the Court (Eighth Chamber) of 6 October 2015 (request for a preliminary ruling from the Oberlandesgericht Wien — Austria) — Seattle Genetics Inc. v Österreichisches Patentamt

(Case C-471/14) ⁽¹⁾

(Reference for a preliminary ruling — Intellectual and industrial property — Proprietary medicinal products — Regulation (EC) No 469/2009 — Article 13(1) — Supplementary protection certificate — Duration — Concept of the ‘date of the first authorisation to place the product on the market in the European Union’ — Whether account is to be taken of the date of the decision granting authorisation or the date on which notification was given of that decision)

(2015/C 398/07)

Language of the case: German

Referring court

Oberlandesgericht Wien

Parties to the main proceedings

Applicant: Seattle Genetics Inc.

Defendant: Österreichisches Patentamt