

2. If question 1 is answered in the negative, may the competent institution, in its calculation of the entitlement to a guaranteed pension take account of pension income which an insured person receives in another Member State without that running counter to the provisions of Regulation No 1408/71?

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(<sup>1</sup>) Council Regulation (EC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community (OJ 1971 L 149, p. 2).

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**Request for a preliminary ruling from the Riigikohus (Estonia) lodged on 7 April 2016 —  
Bolagsupplysningen OÜ, Ingrid Ilsjan v Svensk Handel AB**

**(Case C-194/16)**

**(2016/C 211/45)**

*Language of the case: Estonian*

**Referring court**

Riigikohus

**Parties to the main proceedings**

*Appellants:* Bolagsupplysningen OÜ, Ingrid Ilsjan

*Respondent:* Svensk Handel AB

**Questions referred**

1. Is Article 7(2) of Regulation (EU) No 1215/2012 (<sup>1</sup>) of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters to be interpreted as meaning that a person who alleges that his rights have been infringed by the publication of incorrect information concerning him on the internet and by the failure to remove comments relating to that information can bring an action for rectification of the incorrect information and removal of the harmful comments before the courts of any Member State in which the information on the internet is or was accessible, in respect of the harm sustained in that Member State?
2. Is Article 7(2) of Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters to be interpreted as meaning that a legal person which alleges that its rights have been infringed by the publication of incorrect information concerning it on the internet and by the failure to remove comments relating to that information can, in respect of the entire harm that it has sustained, bring proceedings for rectification of the information, for an injunction for removal of the comments and for damages for the pecuniary loss caused by publication of the incorrect information on the internet before the courts of the State in which that legal person has its centre of interests?
3. If the second question is answered in the affirmative: is Article 7(2) of Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters to be interpreted as meaning that:
  - it is to be assumed that a legal person has its centre of interests in the Member State in which it has its seat, and accordingly that the place where the harmful event occurred is in that Member State, or
  - in ascertaining a legal person's centre of interests, and accordingly the place where the harmful event occurred, regard must be had to all of the circumstances, such as its seat and fixed place of business, the location of its customers and the way and means in which its transactions are concluded?

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(<sup>1</sup>) OJ 2012 L 351, p. 1.