

Judgment of the Court (Third Chamber) of 29 November 2017 (request for a preliminary ruling from the Tribunale ordinario di Torino — Italy) — VCAST Limited v R.T.I. SpA

(Case C-265/16) ⁽¹⁾

(Reference for a preliminary ruling — Approximation of laws — Copyright and related rights — Directive 2001/29/EC — Article 5(2)(b) — Private copying exception — Article 3(1) — Communication to the public — Specific technical means — Provision of a cloud computing service for the remote video recording of copies of works protected by copyright, without the consent of the author concerned — Active involvement of the service provider in the recording)

(2018/C 032/03)

Language of the case: Italian

Referring court

Tribunale ordinario di Torino

Parties to the main proceedings

Applicant: VCAST Limited

Defendant: R.T.I. SpA

Operative part of the judgment

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, in particular Article 5(2)(b) thereof, must be interpreted as precluding national legislation which permits a commercial undertaking to provide private individuals with a cloud service for the remote recording of private copies of works protected by copyright, by means of a computer system, by actively involving itself in the recording, without the rightholder's consent.

⁽¹⁾ OJ C 270, 25.7.2016.

Judgment of the Court (Grand Chamber) of 28 November 2017 (request for a preliminary ruling from the Tribunal da Relação de Guimarães — Portugal) — Isabel Maria Pinheiro Vieira Rodrigues de Andrade, Fausto da Silva Rodrigues de Andrade v José Manuel Proença Salvador, Crédito Agrícola Seguros — Companhia de Seguros de Ramos Reais, SA, Jorge Oliveira Pinto

(Case C-514/16) ⁽¹⁾

(Reference for a preliminary ruling — Compulsory insurance against civil liability in respect of the use of motor vehicles — Directive 72/166/EEC — Article 3(1) — Concept of ‘use of vehicles’ — Accident on a farm — Accident involving an agricultural tractor that was stationary but with the engine running in order to drive a spray pump for applying herbicide)

(2018/C 032/04)

Language of the case: Portuguese

Referring court

Tribunal da Relação de Guimarães