

Case C-339/07

**Christopher Seagon, in his capacity as liquidator in respect of the
assets of Frick Teppichboden Supermärkte GmbH**

v

Deko Marty Belgium NV

(Reference for a preliminary ruling
from the Bundesgerichtshof)

(Judicial cooperation in civil matters — Insolvency proceedings — Court with
jurisdiction)

Opinion of Advocate General Ruiz-Jarabo Colomer delivered on 16 October 2008	I - 769
Judgment of the Court (First Chamber), 12 February 2009	I - 791

Summary of the Judgment

*Judicial cooperation in civil matters — Insolvency proceedings — Regulation No 1346/2000
(Council Regulation No 1346/2000, Arts 3(1), 16 and 25, and Recitals 2, 4, 6 and 8)*

Article 3(1) of Regulation No 1346/2000 on insolvency proceedings must be interpreted as meaning that the courts of the Member State within the territory of which insolvency proceedings have been opened have jurisdiction to decide an action to set a transaction aside by virtue of insolvency that is brought against a person whose registered office is in another Member State.

tion of the legislature to limit that regulation to the provisions which govern jurisdiction for opening insolvency proceedings and judgments which are delivered directly on the basis of insolvency proceedings and are closely connected with such proceedings.

Such an interpretation results from the effectiveness of that regulation and the inten-

(see paras 20, 21, 28, operative part)