

Judgment of the Court (Second Chamber) of 2 September 2010 (reference for a preliminary ruling from the Simvoulio tis Epikrateas (Greece)) — Panagiotis I. Karanikolas, Valsamis Daravanis, Georgios Kouvoukliotis, Panagiotis Ntolou, Dimitrios Z. Parisis, Konstantinos Emmanouil, Ioannis Anasoglou, Pantelis A. Beis, Dimitrios Chatziandreou, Ioannis A. Zaragkoulias, Triantafillos K. Mavrogiannis, Sotirios Th. Liotakis, Vasileos Karampasis, Dimitrios Melissidis, Ioannis V. Kleovoulos, Dimitrios I. Patsakos, Theodoros Fournarakis, Dimitrios K. Dimitrakopoulos and Sinetairismos Paraktion Alieon Kavalas v Ipourgos Agrotikis Anaptixis kai Trofimon and Nomarkhiaki Aftodioikisi Dramas-Kavalas, Xanthis

(Case C-453/08) ⁽¹⁾

(Common fisheries policy — Fisheries in the Mediterranean — Regulation (EC) No 1626/94 — Article 1(2) and (3) — Prohibition of the use of certain types of fishing net — Measures supplementary to or going beyond the minimum requirements of that regulation which were adopted before its entry into force — Conditions of validity)

(2010/C 288/16)

Language of the case: Greek

Referring court

Simvoulio tis Epikrateas

Parties to the main proceedings

Applicants: Panagiotis I. Karanikolas, Valsamis Daravanis, Georgios Kouvoukliotis, Panagiotis Ntolou, Dimitrios Z. Parisis, Konstantinos Emmanouil, Ioannis Anasoglou, Pantelis A. Beis, Dimitrios Chatziandreou, Ioannis A. Zaragkoulias, Triantafillos K. Mavrogiannis, Sotirios Th. Liotakis, Vasileos Karampasis, Dimitrios Melissidis, Ioannis V. Kleovoulos, Dimitrios I. Patsakos, Theodoros Fournarakis, Dimitrios K. Dimitrakopoulos and Sinetairismos Paraktion Alieon Kavalas

Defendants: Ipourgos Agrotikis Anaptixis kai Trofimon and Nomarkhiaki Aftodioikisi Dramas-Kavalas-Xanthis

Intervening parties: Alieftikos Agrotikos Sinetairismos gri-gri nomou Kavalas (MAKEDONIA), Panellinia Enosi Ploioktiton Mesis Alieias (PEPMA)

Re:

Reference for a preliminary ruling — Simvoulio tis Epikrateas — Interpretation of Articles 1(2), 2(3) and 3(1) of Council

Regulation (EC) No 1626/94 of 27 June 1994 laying down certain technical measures for the conservation of fishery resources in the Mediterranean — Prohibition on the use of certain types of fishing net — Scope of the possibility, established by the regulation, for Member States to adopt measures that are supplementary or go beyond the minimum requirements of the regulation

Operative part of the judgment

Article 1(2) and Article 1(3) of Council Regulation (EC) No 1626/94 of 27 June 1994 laying down certain technical measures for the conservation of fishery resources in the Mediterranean, as amended by Council Regulation (EC) No 2550/2000 of 17 November 2000, must be interpreted as meaning, first, that the entry into force of that regulation does not affect the validity of a supplementary national measure, a prohibition, which was adopted before that entry into force and, secondly, that those provisions do not preclude such a measure, provided that that prohibition is in conformity with the common fisheries policy, that it does not go beyond what is necessary to achieve the objective pursued and that it is not contrary to the principle of equal treatment, those being matters which it is for the national court to determine.

⁽¹⁾ OJ C 327, 20.12.2008.

Judgment of the Court (Second Chamber) of 2 September 2010 (reference for a preliminary ruling from the Lietuvos Aukščiausiasis Teismas (Republic of Lithuania)) — Kirin Amgen Inc. v Lietuvos Respublikos valstybinis patentų biuras

(Case C-66/09) ⁽¹⁾

(Patent law — Proprietary medicinal products — Regulation (EEC) No 1768/92 — Articles 7, 19 and 19a(e) — Supplementary protection certificate for medicinal products — Period for lodging the application for such a certificate)

(2010/C 288/17)

Language of the case: Lithuanian

Referring court

Lietuvos Aukščiausiasis Teismas