

**Judgment of the Court (Eighth Chamber) of 18 May 2011  
(reference for a preliminary ruling from the Finanzgericht  
Düsseldorf (Germany)) — Delphi Deutschland GmbH v  
Hauptzollamt Düsseldorf**

(Case C-423/10) <sup>(1)</sup>

*(Common Customs Tariff — Combined Nomenclature —  
Classification for customs purposes — Electrical connectors  
— Subheading 8536 69 — Plugs and sockets)*

(2011/C 204/21)

*Language of the case: German*

**Referring court**

Finanzgericht Düsseldorf

**Parties to the main proceedings**

*Applicant:* Delphi Deutschland GmbH

*Defendant:* Hauptzollamt Düsseldorf

**Re:**

Reference for a preliminary ruling — Finanzgericht Düsseldorf — Interpretation of Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ 1987 L 256, p. 1), as amended by Commission Regulation (EC) No 1810/2004 of 7 September 2004 (OJ 2004 L 327, p. 1), Commission Regulation (EC) No 1719/2005 of 27 October 2005 (OJ 2005 L 286, p. 1) and Commission Regulation (EC) No 1549/2006 of 17 October 2006 (OJ 2006 L 301, p. 1) — Electrical connectors, intended to be crimped to the ends of electric wire and housed in plastic casing in order to join two cables — Classification under subheading 8536 69 of the Combined Nomenclature

**Operative part of the judgment**

*Subheading 8536 69 of the Combined Nomenclature in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, as amended with respect to 2005, 2006 and 2007 respectively by Commission Regulation (EC) No 1810/2004 of 7 September 2004, Commission Regulation (EC) No 1719/2005 of 27 October 2005 and Commission Regulation (EC) No 1549/2006 of 17 October 2006, must be interpreted as meaning that electrical connectors, such as those at issue in the main proceedings, are not excluded from that subheading on the ground that they do not ensure the insulation of the connection at the connection point or that they represent only some of the plugs and sockets manufactured subsequently, provided that they permit multi-way connection, for instance between appliances, cables and connector boards, simply by plugging the attached plugs into the attached sockets with no assembly work required.*

<sup>(1)</sup> OJ C 317, 20.11.2010.

**Reference for a preliminary ruling from the  
Bundesgerichtshof (Germany) lodged on 18 March 2011  
— Folien Fischer AG and Fofitec AG v RITRAMA SpA**

(Case C-133/11)

(2011/C 204/22)

*Language of the case: German*

**Referring court**

Bundesgerichtshof (Federal Court of Justice)

**Parties to the main proceedings**

*Applicants:* Folien Fischer AG and Fofitec AG

*Defendant:* RITRAMA SpA

**Question referred**

Is Article 5(3) of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters <sup>(1)</sup> to be interpreted as meaning that jurisdiction in matters relating to tort or delict also exists in respect of an action for a negative declaration in which a potential injuring party asserts that the party potentially injured by a particular situation has no claim in tort or delict (in this case, infringement of the provisions of anti-trust law)?

<sup>(1)</sup> OJ 2001 L 12, p. 1.

**Reference for a preliminary ruling from the Landgericht  
Frankfurt am Main (Germany) lodged on 28 March 2011  
— Condor Flugdienst GmbH v Jürgen Dörschel**

(Case C-151/11)

(2011/C 204/23)

*Language of the case: German*

**Referring court**

Landgericht Frankfurt am Main

**Parties to the main proceedings**

*Applicant:* Condor Flugdienst GmbH

*Defendant:* Jürgen Dörschel

**Questions referred**

1. Does a passenger have a right to payment of compensation under Article 7 of Regulation No 261/2004 <sup>(1)</sup> in the case where the flight, following its departure according to schedule, is discontinued and the aircraft, before arriving at the airport of destination, returns to the airport of departure and subsequently takes off again with a delay which is relevant for payment of compensation?