

Operative part of the order

1. *The appeal is dismissed.*

2. *Pigasos Alieftiki Naftiki Etairia is ordered to pay the costs.*

(¹) OJ C 24, 30.1.2010.

Appeal brought on 11 December 2009 by Hubert Ségaud against the Order of the Court of First Instance (Sixth Chamber) of 29 October 2009 in Case T-249/09 Ségaud v European Commission

(Case C-514/09 P)

(2010/C 234/30)

Language of the case: French

Parties

Appellant: Hubert Ségaud (represented by: J.-P Ekeu, avocat)

Other party to the proceedings: European Commission

By order of 21 May 2010, the Court of Justice (Eight Chamber) dismissed the appeal and ordered Mr Ségaud to bear his own costs.

Reference for a preliminary ruling from the Landesarbeitsgericht Hamm (Germany) lodged on 4 May 2010 — KHS AG v Winfried Schulte

(Case C-214/10)

(2010/C 234/31)

Language of the case: German

Referring court

Landesarbeitsgericht Hamm

Parties to the main proceedings

Applicant: KHS AG

Defendant: Winfried Schulte

Question referred

Is Article 7(1) of Directive 2003/88/EC (¹) to be interpreted as precluding national legislation and/or practices under which entitlement to minimum paid annual leave expires at the end of the reference period and/or carry-over period even in the case where the worker has been unfit for work over a prolonged period (and that prolonged period of unfitness for work has the result that that worker could have accumulated entitlement to minimum leave for several years if the possibility of carrying over such entitlement had not been limited in time)? If that question is answered in the negative, must the possibility of carrying over leave entitlement exist for a period of at least 18 months?

(¹) Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ 2003 L 299, p. 9).

Reference for a preliminary ruling from the Bundesverwaltungsgericht (Germany) lodged on 19 May 2010 — Mesopotamia Broadcast A/S METV v Federal Republic of Germany

(Case C-244/10)

(2010/C 234/32)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant: Mesopotamia Broadcast A/S METV

Defendant: Federal Republic of Germany

Question referred

A ruling is sought from the Court of Justice of the European Union on whether and, if so, the circumstances under which the application of national legislation concerning the prohibition of an association for infringement of the principles of international understanding falls within the field coordinated by Council Directive 89/552/EEC⁽¹⁾ of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation or Administrative Action in Member States concerning the pursuit of television broadcasting activities, as amended by Directive 97/36/EC⁽²⁾ of 30 June 1997 and, thus, is precluded by Article 2a of the directive?

⁽¹⁾ Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation or Administrative Action in Member States concerning the pursuit of television broadcasting activities (OJ 1989 L 298, p. 23).

⁽²⁾ Directive 97/36/EC of the European Parliament and of the Council of 30 June 1997 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (OJ 1997 L 202, p. 60).

Reference for a preliminary ruling from the Bundesverwaltungsgericht (Germany) lodged on 19 May 2010 — ROJ TV A/S v Federal Republic of Germany

(Case C-245/10)

(2010/C 234/33)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant: ROJ TV A/S

Defendant: Federal Republic of Germany

Question referred

A ruling is sought from the Court of Justice of the European Union on whether and, if so, the circumstances under which the application of national legislation concerning the prohibition of an association for infringement of the principles of international understanding falls within the field coordinated by Council Directive 89/552/EEC⁽¹⁾ of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation

or Administrative Action in Member States concerning the pursuit of television broadcasting activities, as amended by Directive 97/36/EC⁽²⁾ of 30 June 1997 and, thus, is precluded by Article 2a of the directive?

⁽¹⁾ Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by Law, Regulation or Administrative Action in Member States concerning the pursuit of television broadcasting activities (OJ 1989 L 298, p. 23).

⁽²⁾ Directive 97/36/EC of the European Parliament and of the Council of 30 June 1997 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (OJ 1997 L 202, p. 60).

Reference for a preliminary ruling from the Finanzgericht Düsseldorf (Germany) lodged on 20 May 2010 — Haltergemeinschaft LBL GbR v Hauptzollamt Düsseldorf

(Case C-250/10)

(2010/C 234/34)

Language of the case: German

Referring court

Finanzgericht Düsseldorf

Parties to the main proceedings

Applicant: Haltergemeinschaft LBL GbR

Defendant: Hauptzollamt Düsseldorf

Question referred

Subject to an affirmative answer to the first question referred by order of the Bundesfinanzhof (Federal Finance Court) on 1 December 2009 in the proceedings for a preliminary ruling already pending before the Court of Justice of the European Union as Case C-79/10, is the person leasing or chartering out his aircraft, including the jet fuel to be provided by him, entitled to the exemption from taxation provided for in Article 14(1)(b) of Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity?⁽¹⁾

⁽¹⁾ OJ 2003 L 283, p. 51