

Operative part of the judgment

Consideration of the question raised by the referring court has disclosed no factor of such a kind as to affect the validity of Council Regulation (EC) No 499/2009 of 11 June 2009 extending the definitive anti-dumping duty imposed by Regulation (EC) No 1174/2005 on imports of hand pallet trucks and their essential parts originating in the People's Republic of China to imports of the same product consigned from Thailand, whether declared as originating in Thailand or not.

(¹) OJ C 114, 20.4.2013.

Judgment of the Court (Third Chamber) of 4 September 2014 (reference for a preliminary ruling from the Amtsgericht Wedding — Germany) — eco cosmetics GmbH & Co. KG v Virginie Laetitia Barbara Dupuy (C-119/13), Raiffeisenbank St. Georgen reg. Gen. mbH v Tetyana Bonchyk (C-120/13)

(Case C-119/13 and C-120/13) (¹)

(Reference for a preliminary ruling — Judicial cooperation in civil matters — Regulation (EC) No 1896/2006 — European order for payment procedure — Invalid service — Effects — European order for payment declared enforceable — Opposition — Review in exceptional cases — Time-limits)

(2014/C 395/12)

Language of the case: German

Referring court

Amtsgericht Wedding

Parties to the main proceedings

Applicants: eco cosmetics GmbH & Co. KG (C-119/13), Raiffeisenbank St. Georgen reg. Gen. mbH (C-120/13)

Defendants: Virginie Laetitia Barbara Dupuy (C-119/13), Tetyana Bonchyk (C-120/13)

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Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure must be interpreted as meaning that the procedures laid down in Articles 16 to 20 thereof are not applicable where it appears that a European order for payment has not been served in a manner consistent with the minimum standards laid down in Articles 13 to 15 of that regulation.

Where it is only after a European order for payment has been declared enforceable that such an irregularity is exposed, the defendant must have the opportunity to raise that irregularity, which, if it is duly established, will invalidate the declaration of enforceability.

(¹) OJ C 164, 8.6.2013.