Parties to the main proceedings

Claimants: Wagenborg Passagiersdiensten BV, Eigen Veerdienst Terschelling BV, MPS Stortemelk BV, MPS Willem Barentsz BV, MS Spathoek NV, G.A.F. Lakeman, trading as Rederij Waddentransport

Defendant: Minister van Infrastructuur en Milieu

Other parties: Wagenborg Passagiersdiensten BV, Terschellinger Stoombootmaatschappij BV

Questions referred

1. Does the designation of the Netherlands portion of the Waddenzee as an inland waterway (Zone 2 waterway) in Annex I to Directive 2006/87 [1] preclude the application of the Cabotage Regulation to public passenger transport services over the Waddenzee between the Netherlands mainland and the Wadden islands of Terschelling, Vlieland, Ameland and Schiermonnikoog?

2. Does the applicability of the Cabotage Regulation preclude application of the PSO Regulation, [2] having regard to Article 1(2) of the PSO Regulation?

3. Are Member States free, under Article 1(2) of the PSO Regulation, to declare just one or more specific parts of that regulation, in this case Article 5(3) and, related thereto, Article 5(4), to be applicable to services of public passenger transport by water?

4. Can the exception provided for in Article 5(4) of the PSO Regulation, more particularly the distance criterion of 300 000 kilometres laid down in that provision, (simply) be declared to be applicable to services of public passenger transport by water?

5. If the answer to Question 4 is in the affirmative, what consequences should then be attached to the fact that in the case in question operating licences for services of public passenger transport by water were granted in the absence of compliance with the requirements of Article 7(2) of the PSO Regulation?

[1] Directive 2006/87/EC of the European Parliament and of the Council of 12 December 2006 laying down technical requirements for inland waterway vessels and repealing Council Directive 82/714/EEC (OJ 2006 L 389, p. 1).

[2] Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ 2007 L 315, p. 1).

Reference for a preliminary ruling from High Court of Justice (Chancery Division) (United Kingdom) made on 18 April 2013 — Glaxosmithline Biologicals SA, Glaxosmithkline Biologicals, Niederlassung der Smithkline Beecham Pharma GmbH & Co. KG v Comptroller-General of Patents, Designs and Trade Marks

(Case C-210/13)

(2013/C 189/15)

Language of the case: English

Referring court

High Court of Justice (Chancery Division)

Parties to the main proceedings

Applicants: Glaxosmithline Biologicals SA, Glaxosmithkline Biologicals, Niederlassung der Smithkline Beecham Pharma GmbH & Co. KG

Defendant: Comptroller-General of Patents, Designs and Trade Marks

Questions referred

1. Is an adjuvant which has no therapeutic effect on its own, but which enhances the therapeutic effect of an antigen when combined with that antigen in a vaccine, an 'active ingredient' within the meaning of Article 1(b) of Regulation 469/2009/EC [1]?

2. If the answer to question 1 is no, can the combination of such an adjuvant with an antigen nevertheless be regarded as a 'combination of active ingredients' within the meaning of Article 1(b) of Regulation 469/2009/EC?

[1] Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products OJ L 152, p. 1

Request for a preliminary ruling from the Curtea de Apel București (Romania) lodged on 23 April 2013 — Administrația Finanțelor Publice a Municipiului Alexandria v George Ciocoiu

(Case C-214/13)

(2013/C 189/16)

Language of the case: Romanian

Referring court

Curtea de Apel București

Parties to the main proceedings

Applicant: Administrația Finanțelor Publice a Municipiului Alexandria