

Judgment of the Court (Third Chamber) of 6 October 2015 (request for a preliminary ruling from the High Court of Justice of England and Wales, Family Division — United Kingdom) — A v B

(Case C-489/14) ⁽¹⁾

(Reference for a preliminary ruling — Judicial cooperation in civil matters — Jurisdiction, recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility — Regulation (EC) No 2201/2003 — Lis pendens — Articles 16 and 19(1) and (3) — Judicial separation proceedings in a first Member State and divorce proceedings in a second Member State — Jurisdiction of the court first seised — Concept of ‘established’ jurisdiction — Lapse of the first proceedings and commencement of fresh divorce proceedings in the first Member State — Consequences — Time difference between the Member States — Effects on the procedure for seising the courts)

(2015/C 389/12)

Language of the case: English

Referring court

High Court of Justice of England and Wales, Family Division

Parties to the main proceedings

Applicant: A

Defendant: B

Operative part of the judgment

In the case of judicial separation and divorce proceedings brought between the same parties before the courts of two Member States, Article 19(1) and (3) of Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000, must be interpreted as meaning that, in a situation such as that at issue in the main proceedings in which the proceedings before the court first seised in the first Member State expired after the second court in the second Member State was seised, the criteria for lis pendens are no longer fulfilled and, therefore, the jurisdiction of the court first seised must be regarded as not being established.

⁽¹⁾ OJ C 26, 26.1.2015.

Judgment of the Court (Fifth Chamber) of 6 October 2015 (request for a preliminary ruling from the Nejvyšší správní soud — Czech Republic) — Český telekomunikační úřad v T-Mobile Czech Republic a.s., Vodafone Czech Republic a.s.

(Case C-508/14) ⁽¹⁾

(Reference for a preliminary ruling — Directive 2002/22/EC (Universal Service Directive) — Costing of universal service obligations — Taking account of the rate of return on equity capital — Direct effect — Scope ratione temporis)

(2015/C 389/13)

Language of the case: Czech

Referring court

Nejvyšší správní soud