

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Land Hessen to pay the costs.

⁽¹⁾ OJ C 236, 20.7.2015.

Judgment of the Court (First Chamber) of 13 October 2016 (request for a preliminary ruling from the Bundesgerichtshof — Germany) — Servoprax GmbH v Roche Diagnostics Deutschland GmbH

(Case C-277/15) ⁽¹⁾

(Reference for a preliminary ruling — Approximation of laws — In vitro diagnostic medical devices — Directive 98/79/EC — Parallel imports — Translation by the importer of the information and instructions for use provided by the manufacturer — Supplementary conformity assessment procedure)

(2016/C 462/08)

Language of the case: German

Referring court

Bundesgerichtshof

Parties to the main proceedings

Applicant: Servoprax GmbH

Defendant: Roche Diagnostics Deutschland GmbH

Operative part of the judgment

Article 9 of Directive 98/79/EC of the European Parliament and of the Council of 27 October 1998 on in vitro diagnostic medical devices must be interpreted as meaning that it does not require a parallel importer of a device for self-diagnosis for measuring blood sugar that bears a CE marking and that was the subject of a conformity assessment by a notified body to undertake a further assessment in order to certify the conformity of the labelling of that device and the instructions for its use as a result of their translation into the official language of the Member State of importation.

⁽¹⁾ OJ C 294, 7.9.2015.

Judgment of the Court (Second Chamber) of 13 October 2016 (request for a preliminary ruling from the Sąd Apelacyjny w Warszawie — Poland) — Edyta Mikołajczyk v Marie Louise Czarnecka, Stefan Czarnecki

(Case C-294/15) ⁽¹⁾

(Reference for a preliminary ruling — Judicial cooperation in civil matters — Jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility — Regulation (EC) No 2201/2003 — Article 1(1)(a) — Material scope — Action for annulment of marriage brought by a third party after the death of one of the spouses — Article 3(1) — Jurisdiction of the courts of the Member State of residence of the ‘applicant’ — Scope)

(2016/C 462/09)

Language of the case: Polish

Referring court

Sąd Apelacyjny w Warszawie