

Parties to the main proceedings

Applicants: Petru Chiş (C-585/14), Aurel Moldovan (C-587/14), Sergiu Octav Constantinescu (C-588/14)

Defendants: Administraţia Judeţeană a Finanţelor Publice Cluj (C-585/14, C-587/14), Administraţia Judeţeană a Finanţelor Publice Sălaj (C-588/14)

Operative part of the order

1. Article 110 TFEU must be interpreted as not precluding a Member State from introducing a tax on motor vehicles, such as that laid down in Law No 9/2012 of 6 January 2012, in relation to the tax on pollutant emissions from motor vehicles (*Legea nr. 9/2012 privind taxa pentru emisiile poluante provenite de la autovehicule*), which is levied on imported second hand vehicles at the time they are first registered in that Member State and on vehicles that are already registered in that Member State, at the time of the first transfer, within that Member State, of ownership.
2. Article 110 TFEU must be interpreted as precluding a Member State from exempting from a tax, such as that laid down in Law No 9/2012, vehicles that are already registered, in respect of which a tax previously in force has been paid, when the residual amount of that tax, included in the value of those vehicles, is less than the amount of the new tax. That is necessarily the case when the earlier tax must be reimbursed with interest because of its incompatibility with EU law.

⁽¹⁾ OJ C 107, 30.3.2015.

Order of the Court (Sixth Chamber) of 8 September 2015 — (request for a preliminary ruling from the Cour de cassation — France) — Criminal proceedings against Cdiscount SA

(Case C-13/15) ⁽¹⁾

(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court — Directive 2005/29/EC — Consumer protection — Unfair commercial practices — Price reduction — Marking or display of reference price)

(2015/C 398/11)

Language of the case: French

Referring court

Cour de cassation

Criminal proceedings against

Cdiscount SA

Operative part of the order

Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive') must be interpreted as precluding provisions of national law, such as those at issue in the main proceedings, which lay down a general prohibition of announcements of price reductions which do not show the reference price when the price is marked or displayed, without providing for an assessment case by case allowing it to be determined whether the announcements are unfair, in so far as those provisions pursue objectives relating to consumer protection. It is for the referring court to determine whether that is so in the case in the main proceedings.

⁽¹⁾ OJ C 107, 30.3.2015.

Order of the Court (Eighth Chamber) of 8 September 2015 — DTL Corporación, SL v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)

(Case C-62/15 P) ⁽¹⁾

Appeal — Article 181 the Rules of Procedure of the Court of Justice — Community trade mark — Application for registration of the word mark *Generia* — Opposition by the proprietor of the earlier Community figurative mark *Generalia generación renovable* — Partial refusal to register — Regulation (EC) No 207/2009 — Article 8(1)(b) — Likelihood of confusion — Article 64(1) — Powers of the Board of Appeal — Article 75, second subparagraph — Right to be heard

(2015/C 398/12)

Language of the case: Spanish

Parties

Appellant: DTL Corporación, SL (represented by: A. Zuazo Araluze, abogado)

Other party to the proceedings: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM)

Operative part of the order

1. The appeal is dismissed.
2. DTL Corporación, SL to bear its own costs.

⁽¹⁾ OJ C 146, 4.5.2015.