

**Request for a preliminary ruling from the Cour de cassation (France) lodged on 16 January 2015 —  
Cdiscount SA v Ministère public**

**(Case C-13/15)**

(2015/C 107/28)

*Language of the case: French*

**Referring court**

Cour de cassation

**Parties to the main proceedings**

*Appellant:* Cdiscount SA

*Respondent:* Ministère public

**Question referred**

Do Articles 5 to 9 of Directive 2005/29/EC of the Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market <sup>(1)</sup> preclude a rule which prohibits, in all circumstances and regardless of the impact they may have on the decision of the average consumer, price reductions which are not calculated against a reference price laid down by regulation?

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<sup>(1)</sup> 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') (OJ 2005 L 149, p. 22).

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**Appeal brought on 17 February 2015 by the Court of Justice of the European Union against the order  
of the General Court (Third Chamber) made on 6 January 2015 in Case T-479/14 *Kendrion v European  
Union***

**(Case C-71/15 P)**

(2015/C 107/29)

*Language of the case: Dutch*

**Parties**

*Appellant:* Court of Justice of the European Union (represented by: A.V. Placco and E. Beysen, acting as Agents)

*Other party to the proceedings:* Kendrion NV

**Form of order sought**

The appellant claims that the Court should:

- set aside the order of the General Court of the European Union (Third Chamber) of 6 January 2015 in Case T-479/14 *Kendrion v European Union*;
- grant the form of order sought by the Court of Justice of the European Union ('the CJEU') in its application made to the General Court pursuant to Article 114 of the Rules of Procedure of that Court, and accordingly;
- primarily, delivering final judgment in the case, declare Kendrion NV's action for damages to be inadmissible on the ground that it is brought against the CJEU (as the representative of the European Union);