Pleas in law and main arguments

In support of its appeal, the appellant puts forward a single ground of appeal.

The appellant claims that by creating a new economic test to be applied when determining the amounts to be recovered from beneficiaries of State aid consisting of a tax measure fixing a lower rate by reference to a standard rate, the General Court violated Article 108(3) TFEU and Article 14 of Regulation 659/1999 ([2]).

([1]) OJ L 119, p. 30.
([2]) Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty, OJ L 83, p. 1.

Request for a preliminary ruling from the Rīgas apgabaltiesas Krimināllietu tiesu kolēģija (Latvia) lodged on 13 April 2015 — Criminal proceedings against Aleksandrs Ranks and Jurijs Vasiļevičs

(Case C-166/15)

(2015/C 205/29)

Language of the case: Latvian

Referring court

Rīgas apgabaltiesas Krimināllietu tiesu kolēģija

Party to the main proceedings

Criminal proceedings against: Aleksandrs Ranks, Jurijs Vasiļevičs

Other parties in the case: Finanšu un ekonomisko noziegumu izmeklēšanas prokuratūra, Microsoft Corporation

Questions referred

1. Under Articles 5(1) and 4(2) of Directive 2009/24 ([1]) of the European Parliament and of the Council, may a person who has acquired a computer program with a 'used' licence on a non-original disk, which works and is not used by any other user, rely upon the exhaustion of the right to distribute a copy of that computer program, the first purchaser of which acquired it from the rightholder with the original disk, which however has been damaged, when the first purchaser has erased his copy and no longer uses it?

2. If the answer to the first question is in the affirmative, then, does a person who may rely upon the exhaustion of the right to distribute a copy of the computer program have the right to resell that computer program on a non-original disk to a third person, in accordance with Articles 4(2) and 5(2) of Directive 2009/24?

([1]) Directive 2009/24/EC of the European Parliament and of the Council of 23 April 2009 on the legal protection of computer programs (Codified version) (Text with EEA relevance) (OJ 2009 L 111, p. 16).

Request for a preliminary ruling from the Nacka tingsrätt, Mark- och miljödomstolen (Sweden) lodged on 21 April 2015 — Borealis Ab and Others v Naturvårdsverket

(Case C-180/15)

(2015/C 205/30)

Language of the case: Swedish

Referring court

Nacka tingsrätt, Mark- och miljödomstolen