

Judgment of the Court (Third Chamber) of 25 January 2018 (request for a preliminary ruling from the Oberster Gerichtshof) — Maximilian Schrems v Facebook Ireland Limited

(Case C-498/16) ⁽¹⁾

(Reference for a preliminary ruling — Area of freedom, security and justice — Regulation (EC) No 44/2001 — Articles 15 and 16 — Jurisdiction in respect of consumer contracts — Definition of ‘consumer’ — Assignment between consumers of claims against the same trader or professional)

(2018/C 104/09)

Language of the case: German

Referring court

Oberster Gerichtshof

Parties to the main proceedings

Applicant: Maximilian Schrems

Defendant: Facebook Ireland Limited

Operative part of the judgment

1. Article 15 of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters must be interpreted as meaning that the activities of publishing books, lecturing, operating websites, fundraising and being assigned the claims of numerous consumers for the purpose of their enforcement do not entail the loss of a private Facebook account user’s status as a ‘consumer’ within the meaning of that article.
2. Article 16(1) of Regulation No 44/2001 must be interpreted as meaning that it does not apply to the proceedings brought by a consumer for the purpose of asserting, in the courts of the place where he is domiciled, not only his own claims, but also claims assigned by other consumers domiciled in the same Member State, in other Member States or in non-member countries.

⁽¹⁾ OJ C 441, 28.11.2016.

Judgment of the Court (Eighth Chamber) of 24 January 2018 (requests for a preliminary ruling from the Corte suprema di cassazione — Italy) — Presidenza del Consiglio dei Ministri and Others v Gianni Pantuso and Others

(Joined Cases C-616/16 and C-617/16) ⁽¹⁾

(Reference for a preliminary ruling — Coordination of provisions laid down by law, regulation or administrative action in respect of activities of doctors — Directives 75/363/EEC and 82/76/EEC — Specialist medical training — Appropriate remuneration — Application of Directive 82/76/EEC to training begun before the prescribed deadline for the Member States to transpose it and completed after that date)

(2018/C 104/10)

Language of the case: Italian

Referring court

Corte suprema di cassazione