

Request for a preliminary ruling from the Juzgado Contencioso-Administrativo No 1 de Oviedo (Spain) lodged on 16 March 2016 — Margarita Isabel Vega González v Consejería de Hacienda y Sector Público de la Administración del Principado de Asturias

(Case C-158/16)

(2016/C 211/38)

Language of the case: Spanish

Referring court

Juzgado Contencioso-Administrativo No 1 de Oviedo

Parties to the main proceedings

Applicant: Margarita Isabel Vega González

Defendant: Consejería de Hacienda y Sector Público de la Administración del Principado de Asturias

Questions referred

1. Must the term '**employment conditions**' in Clause 4 of the framework agreement on fixed-term work [concluded by ETUC, UNICE and CEEP] annexed to Council Directive 1999/70/EC ⁽¹⁾ of 28 June 1999 ... be interpreted as including a legal situation in which a fixed-term worker who has been elected to political office as a member of Parliament may, in the same way as a permanent member of staff, apply for and be granted a break in the service relationship with the employer so as to be reinstated in the same post once the relevant parliamentary term of office has expired?
2. Must the **principle of non-discrimination** referred to in Clause 4 of the framework agreement on fixed-term work [concluded by ETUC, UNICE and CEEP] annexed to Council Directive 1999/70/EC of 28 June 1999 ... be interpreted as precluding regional legislation such as Article 59(2) of the Law [of the Principality of Asturias] 3/1985 [of 26 December 1985] on the organisation of the civil service [of the Government of the Principality of Asturias], which totally and absolutely precludes giving an 'interino' civil servant special service leave in the event of being elected a member of Parliament, when that right is given to career civil servants?

⁽¹⁾ OJ 1999 L 175, p. 43.

Request for a preliminary ruling from the Rechtbank Den Haag (Nederland) lodged on 21 March 2016 — Christian Louboutin, Christian Louboutin SAS v Van Haren Schoenen BV

(Case C-163/16)

(2016/C 211/39)

Language of the case: Dutch

Referring court

Rechtbank Den Haag

Parties to the main proceedings

Applicants: Christian Louboutin, Christian Louboutin SAS

Defendant: Van Haren Schoenen BV

Question referred

Is the notion of 'shape' within the meaning of Article 3(1)(e)(iii) of Directive 2008/95/EC ⁽¹⁾ ('Form', 'vorm' and 'forme' in the German, Dutch and French language versions of the Trade Marks Directive respectively) limited to the three-dimensional properties of the goods, such as their contours, measurements and volume (expressed three-dimensionally), or does it include other (non three-dimensional) properties of the goods, such as their colour?

⁽¹⁾ Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks (Codified version) (OJ 2008 L 299, p. 25).

Request for a preliminary ruling from the Amtsgericht Düsseldorf (Germany) lodged on 25 March 2016 — Ljiljana Kammerer, Frank Kammerer v Swiss International Air Lines AG

(Case C-172/16)

(2016/C 211/40)

Language of the case: German

Referring court

Amtsgericht Düsseldorf

Parties to the main proceedings

Applicants: Ljiljana Kammerer, Frank Kammerer

Defendant: Swiss International Air Lines AG

Question referred

Is the Agreement on air transport between the Swiss Confederation and the European Community of 21 June 1999, as amended by Decision No 2/2010 of the Community/Switzerland Air Transport Committee of 26 November 2010, to be interpreted as meaning that Regulation (EC) No 261/2004 ⁽¹⁾ is also applicable, in accordance with Article 3(1)(a) thereof, to passengers who intend to land in an airport in Switzerland on a flight from a third country?

⁽¹⁾ Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ 2004 L 46, p. 1).

Reference for a preliminary ruling from Court of Appeal (Ireland) made on 29 March 2016 — M.H. v M.H.

(Case C-173/16)

(2016/C 211/41)

Language of the case: English

Referring court

Court of Appeal