

**Parties to the main proceedings**

*Appellant:* Minister Finansów

*Respondent:* Stowarzyszenie Artystów Wykonawców Utworów Muzycznych i Słowno-Muzycznych SAWP (SAWP)

*Intervening parties:* Prokuratura Generalna, Stowarzyszenie Zbiorowego Zarządzania Prawami Autorskimi Twórców Dzieł Naukowych i Technicznych Kopipol, Stowarzyszenie Autorów i Wydawców Copyright Polska

**Operative part of the judgment**

*Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax, as amended by Council Directive 2010/45/EU of 13 July 2010, must be interpreted as meaning that holders of reproduction rights do not make a supply of services, within the meaning of that directive, to producers and importers of blank media and of recording and reproduction devices on whom organisations collectively managing copyright and related rights levy on behalf of those rightholders, but in their own name, fees in respect of the sale of those devices and media.*

<sup>(1)</sup> OJ C 145, 25.4.2016.

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**Appeal brought on 11 August 2016 (fax of 4 August) by U-R LAB against the judgment of the General Court (Fifth Chamber) delivered on 25 May 2016 in Joined Cases T-422/15 and T-423/15 U-R LAB v European Union Intellectual Property Office**

**(Case C-450/16 P)**

(2017/C 070/12)

*Language of the case: French*

**Parties**

*Appellant:* U-R LAB (represented by: A. Rudoni, avocat)

*Other party to the proceedings:* European Union Intellectual Property Office

By order of 25 November 2016 the Court (Tenth Chamber) dismissed the appeal.

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**Request for a preliminary ruling from the Tribunal Administrativo e Fiscal de Viseu (Portugal) lodged on 5 December 2016 — João Ventura Ramos v Fundo de Garantia Salarial**

**(Case C-627/16)**

(2017/C 070/13)

*Language of the case: Portuguese*

**Referring court**

Tribunal Administrativo e Fiscal de Viseu

**Parties to the main proceedings**

*Applicant:* João Ventura Ramos

*Defendant:* Fundo de Garantia Salarial

**Question referred**

1. Is a time-limit applicable to an application for payment of outstanding wage claims by the guarantee institution more favourable to employees, within the meaning of Article 11 of Directive 2008/94/EC<sup>(1)</sup> of the European Parliament and of the Council of 22 October 2008 on the protection of employees in the event of the insolvency of their employer, when the payment of such claims is only guaranteed where the application for payment is brought before the guarantee institution no later than one year from the day following that on which the contract of employment was terminated or where the time-limit is calculated from the date on which insolvency proceedings are brought, bearing in mind that the guarantee institution only guarantees the payment of the employee's claims which have fallen due in the six months prior to those proceedings being brought?
2. If an employee has failed to comply with the time-limit for reasons for which he is not responsible, must the laws of the Member States, pursuant to Article 11 of Directive 2008/94/EC of the European Parliament and of the Council of 22 October 2008, provide for an additional time-limit for submitting his application, provided that the employee shows that he is not responsible for the failure to comply with the time-limit?

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<sup>(1)</sup> OJ 2008, L 283, p. 36.

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**Appeal brought on 8 December 2016 by Spliethoff's Bevrachtingskantoor BV against the order of the General Court (Third Chamber) delivered on 11 October 2016 in Case T-564/15: Spliethoff's Bevrachtingskantoor BV v European Commission**

**(Case C-635/16 P)**

(2017/C 070/14)

*Language of the case: English*

**Parties**

*Appellant:* Spliethoff's Bevrachtingskantoor BV (represented by: Y. de Vries, advocaat)

*Other party to the proceedings:* European Commission

**Form of order sought**

The applicant claims that the Court should:

- set aside the order of the General Court of 11 October 2016 in case T-564/15;
- refer the case back to the General Court;
- order the Commission to pay the costs of the proceedings, including the costs before the General Court.

**Pleas in law and main arguments**

The General Court erred in law by finding that the action is inadmissible, given that it is directed against the Commission, who is not the author of the contested act;

The General Court erred in law by finding that the action was inadmissible because the contested act is merely provisional in nature and therefore is not a definitive act;