

**Request for a preliminary ruling from the Landgericht München I (Germany) lodged on 24 March 2017 — Bastei Lübbe GmbH & Co. KG v Michael Strotzer**

(Case C-149/17)

(2017/C 213/24)

*Language of the case: German*

**Referring court**

Landgericht München I

**Parties to the main proceedings**

*Applicant:* Bastei Lübbe GmbH & Co. KG

*Defendant:* Michael Strotzer

**Questions referred**

1. Should Article 8(1) and (2), in conjunction with Article 3(1), of Directive 2001/29/EC <sup>(1)</sup> be interpreted as meaning that 'effective and dissuasive sanctions for infringements of the right to make works available to the public' are still provided for even when the owner of an Internet connection used for copyright infringements through file-sharing is excluded from liability to pay damages if the owner of that Internet connection can name at least one family member who, besides him or her, might have had access to that Internet connection, without providing further details, established through appropriate investigations, as to when and how the Internet was used by that family member?
1. Should Article 3(2) of Directive 2004/48/EC <sup>(2)</sup> be interpreted as meaning that 'effective measures for the enforcement of intellectual property rights' are still provided for even when the owner of an Internet connection used for copyright infringements through file-sharing is excluded from liability to pay damages if the owner of that Internet connection can name at least one family member who, besides him or her, might have had access to that Internet connection, without providing further details, established through appropriate investigations, as to when and how the Internet was used by that family member?

<sup>(1)</sup> Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (OJ 2001 L 167, p. 10).

<sup>(2)</sup> Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights; OJ 2004 L 157, p. 45.

**Request for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 24 March 2017 — Consorzio Italian Management and Catania Multiservizi SpA v Rete Ferroviaria Italiana SpA**

(Case C-152/17)

(2017/C 213/25)

*Language of the case: Italian*

**Referring court**

Consiglio di Stato

**Parties to the main proceedings**

*Applicant:* Consorzio Italian Management and Catania Multiservizi SpA

*Defendant:* Rete Ferroviaria Italiana SpA