

Other party to the proceedings: Court of Justice of the European Union

By order of 5 July 2017, the Court of Justice of the European Union (Tenth Chamber) dismissed the appeal and ordered the appellant to bear its own costs.

**Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Piemonte (Italy)
lodged on 5 April 2017 — Demarchi Gino S.a.s. v Ministero della Giustizia**

(Case C-177/17)

(2017/C 277/30)

Language of the case: Italian

Referring court

Tribunale Amministrativo Regionale per il Piemonte

Parties to the main proceedings

Applicant: Demarchi Gino S.a.s.

Defendant: Ministero della Giustizia

Question referred

Does the principle that everyone is entitled to a hearing by an impartial tribunal within a reasonable time, affirmed in the second paragraph of Article 47 of the Charter of Fundamental Rights of the European Union and in Article 6(1) of the European Convention for the Protection of Human Rights, which has become a principle of European Union law by virtue of Article 6(3) TEU, read in conjunction with the principle arising from Article 67 TFEU, according to which the Union is to constitute an area of freedom, security and justice with respect for fundamental rights, and the principle arising from Articles 81 and 82 TFEU, according to which, in civil and criminal matters having cross-border implications, the Union is to develop judicial cooperation based on the principle of mutual recognition of judgments and of decisions in extrajudicial cases, preclude national provisions, such as the Italian provisions contained in Article 5 sexies of Law No 89/2001, which impose on persons entitled to the payment by the Italian State of 'fair compensation' in respect of the unreasonable duration of legal proceedings a series of obligations which they must fulfil in order to obtain such payment, and to await the expiry of the period referred to in Article 5 sexies (5) of Law No 89/2001 without, in the meanwhile, being entitled to take any legal action for enforcement and without subsequently being able to claim damages in respect of late payment, even in cases in which the 'fair compensation' has been awarded in respect of the unreasonable duration of civil proceedings which have cross-border implications or which involve a matter that falls within the jurisdiction of the European Union and/or a matter in relation to which the European Union provides for the reciprocal recognition of judgments?

**Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Piemonte (Italy)
lodged on 5 April 2017 — Graziano Garavaldi v Ministero della Giustizia**

(Case C-178/17)

(2017/C 277/31)

Language of the case: Italian

Referring court

Tribunale Amministrativo Regionale per il Piemonte

Parties to the main proceedings

Applicant: Graziano Garavaldi

Defendant: Ministero della Giustizia

Question referred

Does the principle that everyone is entitled to a hearing by an impartial tribunal within a reasonable time, affirmed in the second paragraph of Article 47 of the Charter of Fundamental Rights of the European Union and in Article 6(1) of the European Convention for the Protection of Human Rights, which has become a principle of European Union law by virtue of Article 6(3) TEU, read in conjunction with the principle arising from Article 67 TFEU, according to which the Union is to constitute an area of freedom, security and justice with respect for fundamental rights, and the principle arising from Articles 81 and 82 TFEU, according to which, in civil and criminal matters having cross-border implications, the Union is to develop judicial cooperation based on the principle of mutual recognition of judgments and of decisions in extrajudicial cases, preclude national provisions, such as the Italian provisions contained in Article 5 sexies of Law No 89/2001, which impose on persons entitled to the payment by the Italian State of 'fair compensation' in respect of the unreasonable duration of legal proceedings a series of obligations which they must fulfil in order to obtain such payment, and to await the expiry of the period referred to in Article 5 sexies (5) of Law No 89/2001 without, in the meanwhile, being entitled to take any legal action for enforcement and without subsequently being able to claim damages in respect of late payment, even in cases in which the 'fair compensation' has been awarded in respect of the unreasonable duration of civil proceedings which have cross-border implications or which involve a matter that falls within the jurisdiction of the European Union and/or a matter in relation to which the European Union provides for the reciprocal recognition of judgments?

**Request for a preliminary ruling from the Commissione tributaria di primo grado di Bolzano (Italy)
lodged on 21 April 2017 — Rotho Blaas Srl v Agenzia delle Dogane e dei Monopoli**

(Case C-207/17)

(2017/C 277/32)

Language of the case: Italian

Referring court

Commissione tributaria di primo grado di Bolzano

Parties to the main proceedings

Applicant: Rotho Blaas Srl

Defendant: Agenzia delle Dogane e dei Monopoli

Questions referred

1. Are Council Regulation (EC) No 91/2009 imposing a definitive anti-dumping duty on imports of certain iron or steel fasteners originating in the People's Republic of China ⁽¹⁾ and Council Implementing Regulation (EU) No 924/2012 amending Regulation (EC) No 91/2009 imposing a definitive anti-dumping duty on imports of certain iron or steel fasteners originating in the People's Republic of China, ⁽²⁾ and Commission Implementing Regulation (EU) 519/2015 of 26 March 2015 imposing a definitive anti-dumping duty on imports of certain iron or steel fasteners originating in the People's Republic of China, as extended to imports of certain iron or steel fasteners consigned from Malaysia, whether declared as originating in Malaysia or not, following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009 ⁽³⁾ invalid/unlawful/incompatible with Article VI of the General Agreement on Tariffs and Trade of 1994 and the decision of the WTO DSB of 28 July 2011?