

Request for a preliminary ruling from the Amtsgericht Hamburg (Germany) lodged on 14 June 2017 — Jörg Scharnweber and Henning Kuhlmann v Société Air France SA

(Case C-366/17)

(2017/C 318/07)

Language of the case: German

Referring court

Amtsgericht Hamburg

Parties to the main proceedings

Applicant: Jörg Scharnweber and Henning Kuhlmann

Defendant: Société Air France SA

The case was removed from the Register of the Court of Justice by order of the Court of 19 July 2017.

Request for a preliminary ruling from the Bundesgerichtshof (Germany) lodged on 19 June 2017 — Uber BV v Richard Leipold

(Case C-371/17)

(2017/C 318/08)

Language of the case: German

Referring court

Bundesgerichtshof

Parties to the main proceedings

Appellant on a point of law: Uber BV

Respondent in the appeal on a point of law: Richard Leipold

Questions referred

1. In the case where an undertaking which, in cooperation with hire vehicle undertakings licensed for the carriage of persons, makes available a smartphone application through which users can place orders for chauffeur-driven hire vehicles, does that undertaking itself supply a service in the field of transport within the meaning of Article 58(1) TFEU and Article 2(2)(d) of Directive 2006/123⁽¹⁾ if the organisational services provided by that undertaking are closely related to the service of carriage, in particular where that undertaking

— determines the prices, the processing of payments and the conditions of carriage for the assignment of trips

and

— advertises the vehicles procured by the undertaking under its own brand designation and with the same uniform promotional offers?

If the Court should answer Question 1 in the negative:

2. May an injunction prohibiting a service of the kind at issue in the main proceedings be justified, in the light of current modes of transport, from the perspective of the safeguarding of public policy under Article 16(1) of Directive 2006/123 on the basis of the objective of maintaining the competitiveness and proper functioning of taxi services?

⁽¹⁾ Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, OJ 2006 L 376, p. 36.