

**Judgment of the Court (Ninth Chamber) of 16 October 2019 (request for a preliminary ruling from the Budapest Környéki Közigazgatási és Munkaügyi Bíróság — Hungary) — SD v Agrárminiszter**

(Case C-490/18) <sup>(1)</sup>

*(Reference for a preliminary ruling — Common agricultural policy — Apiculture sector — Regulation (EU) No 1308/2013 — Delegated Regulation (EU) 2015/1366 — Application for aid — Conditions — Minimum number of bee colonies — Fixing with retro-active effect — Principle of legal certainty — Principle of protection of legitimate expectations)*

(2019/C 423/15)

*Language of the case: Hungarian*

**Referring court**

Budapest Környéki Közigazgatási és Munkaügyi Bíróság

**Parties to the main proceedings**

*Applicant:* SD

*Defendant:* Agrárminiszter

**Operative part of the judgment**

Subject to verifications which it is for the referring court to carry out, the principles of legal certainty and of protection of legitimate expectations must be interpreted as not precluding national legislation, such as that at issue in the main proceedings, which, in accordance with Article 55(1) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, establishes the programme in the apiculture sector for a new period of three years, firstly, fixes the conditions for the grant of aid in that sector different from those provided for in the previous programmes, and, secondly, allows beekeepers to benefit from that aid from a date prior to the entry into force of that regulation, if they fulfil the new conditions provided for by that regulation.

---

<sup>(1)</sup> OJ C 25, 21.1.2019.

**Judgment of the Court (Tenth Chamber) of 17 October 2019 – Landeskammer für Land- und Forstwirtschaft in Steiermark v Gabriele Schmid, European Union Intellectual Property Office (EUIPO)**

(Case C-514/18 P) <sup>(1)</sup>

*(Appeal — European Union trade mark — Regulation (EC) No 207/2009 — Article 15 — Concept of ‘genuine use’ — Requirement to use the mark in accordance with its essential function)*

(2019/C 423/16)

*Language of the case: German*

**Parties**

*Appellant:* Landeskammer für Land- und Forstwirtschaft in Steiermark (represented by: I. Hödl and S. Schoeller, Rechtsanwälte)

*Other parties to the proceedings:* Gabriele Schmid (represented by: B. Kuchar, Rechtsanwälte), European Union Intellectual Property Office (represented by: D. Hanf, acting as Agent)