

2. Dismisses the first part of the fifth plea in law in the action before the General Court of the European Union;
3. Refers the case back to the General Court of the European Union for judgment on the first to fourth grounds of appeal and on the second and third parts of the fifth ground of appeal;
4. The costs are reserved.

---

(<sup>1</sup>) OJ C 65, 18.2.2019.

---

**Judgment of the Court (Fifth Chamber) of 11 June 2020 (request for a preliminary ruling from the tribunal de l'entreprise de Liège — Belgium) — SI, Brompton Bicycle Ltd v Chedech/Get2Get**

(Case C-833/18) (<sup>1</sup>)

*(Reference for a preliminary ruling — Intellectual and industrial property — Copyright and related rights — Directive 2001/29/EC — Articles 2 to 5 — Scope — Utilitarian object — Concept of ‘work’ — Copyright protection of works — Conditions — Shape of a product which is necessary to obtain a technical result — Folding bicycle)*

(2020/C 271/12)

*Language of the case: French*

**Referring court**

Tribunal de l'entreprise de Liège

**Parties to the main proceedings**

*Applicants:* SI, Brompton Bicycle Ltd

*Defendant:* Chedech/Get2Get

**Operative part of the judgment**

Articles 2 to 5 of 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 must be interpreted as meaning that the copyright protection provided for therein applies to a product whose shape is, at least in part, necessary to obtain a technical result, where that product is an original work resulting from intellectual creation, in that, through that shape, its author expresses his creative ability in an original manner by making free and creative choices in such a way that that shape reflects his personality, which it is for the national court to verify, bearing in mind all the relevant aspects of the dispute in the main proceedings.

---

(<sup>1</sup>) OJ C 82, 4.3.2019.