

In the context of this ground of appeal, the Republic of Poland submits that there was a failure to state reasons in the judgment under appeal in so far as the General Court found, first, that the controls of producer groups preceding the grant of pre-recognition to those groups were ineffective and, second, that the flat-rate financial correction of 10 % in relation to the measure 'Fruit and Vegetables — Pre-recognised Producer Groups' was applied correctly.

⁽¹⁾ OJ 2015 L 182, p. 39.

**Request for a preliminary ruling from the Conseil d'État (France) lodged on 4 June 2018 —
Association Organisation juive européenne, Société Vignoble PSAGOT Ltd v Ministre de l'Économie
et des Finances**

(Case C-363/18)

(2018/C 276/35)

Language of the case: French

Referring court

Conseil d'État

Parties to the main proceedings

Applicants: Association Organisation juive européenne, Société Vignoble PSAGOT Ltd

Defendant: Ministre de l'Économie et des Finances

Question referred

Does EU law and in particular Regulation No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, ⁽¹⁾ where indication of the origin of a product falling within the scope of that regulation is mandatory, require, for a product from a territory occupied by Israel since 1967, indication of that territory and an indication that the product comes from an Israeli settlement if that is the case? If not, do the provisions of the regulation, in particular those in Chapter VI thereof, allow a Member State to require those indications?

⁽¹⁾ Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ 2011 L 304, p. 18).

**Reference for a preliminary ruling from the High Court of Justice (Chancery Division) (United
Kingdom) made on 6 June 2018 — Sky plc, Sky International AG, Sky UK Limited v Skykick UK
Limited, Skykick Inc**

(Case C-371/18)

(2018/C 276/36)

Language of the case: English

Referring court

High Court of Justice (Chancery Division)

Parties to the main proceedings

Applicants: Sky plc, Sky International AG, Sky UK Limited

Defendants: Skykick UK Limited, Skykick Inc

Questions referred

1. Can an EU trade mark or a national trade mark registered in a Member State be declared wholly or partially invalid on the ground that some or all of the terms in the specification of goods and services are lacking in sufficient clarity and precision to enable the competent authorities and third parties to determine on the basis of those terms alone the extent of the protection conferred by the trade mark?
2. If the answer to question (1) is yes, is a term such as ‘computer software’ too general and covers goods which are too variable to be compatible with the trade mark’s function as an indication of origin for that term to be sufficiently clear and precise to enable the competent authorities and third parties to determine on the basis of that term alone the extent of the protection conferred by the trade mark?
3. Can it constitute bad faith simply to apply to register a trade mark without any intention to use it in relation to the specified goods or services?
4. If the answer to question (3) is yes, is it possible to conclude that the applicant made the application partly in good faith and partly in bad faith if and to the extent that the applicant had an intention to use the trade mark in relation to some of the specified goods or services, but no intention to use the trade mark in relation to other specified goods or services?
5. Is section 32(3) of the UK Trade Marks Act 1994 compatible with Parliament and Council Directive 2015/2436/EU ⁽¹⁾ and its predecessors?

⁽¹⁾ Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 to approximate the laws of the Member States relating to trade marks (OJ 2015, L 336, p. 1).

Request for a preliminary ruling from the Bundesverwaltungsgericht (Germany) lodged on 8 June 2018 — Deutsche Lufthansa AG v Land Berlin

(Case C-379/18)

(2018/C 276/37)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant: Deutsche Lufthansa AG

Defendant: Land Berlin

Other parties: Berliner Flughafen Gesellschaft mbH; Der Vertreter des Bundesinteresses beim Bundesverwaltungsgericht