

**Request for a preliminary ruling from the Tribunal Supremo (Spain) lodged on 20 February 2019 —
Atresmedia Corporación de Medios de Comunicación, S.A. v Asociación de Gestión de Derechos Intelectuales
(AGEDI) and Artistas e Intérpretes o Ejecutantes, Sociedad de Gestión de España (AIE)**

(Case C-147/19)

(2019/C 182/21)

Language of the case: Spanish

Referring court

Tribunal Supremo

Parties to the main proceedings

Appellant: Atresmedia Corporación de Medios de Comunicación, S.A.

Respondents: Asociación de Gestión de Derechos Intelectuales (AGEDI) and Artistas e Intérpretes o Ejecutantes, Sociedad de Gestión de España (AIE)

Questions referred

1. Does the concept of the 'reproduction of a phonogram published for commercial purposes' referred to in Article 8(2) of Directives 92/100⁽¹⁾ and 2006/115⁽²⁾ include the reproduction of a phonogram published for commercial purposes in an audiovisual recording containing the fixation of an audiovisual work?
2. In the event that the answer to the previous question is in the affirmative, is a television broadcasting organisation which, for any type of communication to the public, uses an audiovisual recording containing the fixation of a cinematographic or audiovisual work in which a phonogram published for commercial purposes has been reproduced, under an obligation to pay the single equitable remuneration provided for in Article 8(2) of the aforementioned directives?

⁽¹⁾ Council Directive 92/100/EEC of 19 November 1992 on rental right and lending right and on certain rights related to copyright in the field of intellectual property (OJ 1992 L 346, p. 61).

⁽²⁾ Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property (OJ 2006 L 376, p. 28).

**Appeal brought on 19 February 2019 by BTB Holding Investments SA and Duferco Participations Holding SA
against the judgment of the General Court (First Chamber) delivered on 11 December 2018 in Case T-100/17,
BTB Holding Investments SA and Duferco Participations Holding SA v Commission**

(Case C-148/19 P)

(2019/C 182/22)

Language of the case: French

Parties

Appellants: BTB Holding Investments SA, Duferco Participations Holding SA (represented by: J.-F. Bellis, R. Luff, M. Favart, Q. Declève, avocats)

Other parties to the proceedings: European Commission, Foreign Strategic Investments Holding (FSIH)