

**Request for a preliminary ruling from the Înalta Curte de Casație și Justiție (Romania) lodged on  
18 December 2019 — Criminal proceedings against CD**

**(Case C-929/19)**

(2020/C 201/10)

*Language of the case: Romanian*

**Referring court**

Înalta Curte de Casație și Justiție

**Defendant in the main proceedings**

CD

**Other parties to the proceedings**

CLD, GLO, ȘDC, PVV, SC Complexul Energetic Oltenia SA, Parchetul de pe lângă Înalta Curte de Casație și Justiție — Direcția Națională Anticorupție, and Agenția Națională de Administrare Fiscală

**Questions referred**

1. Are Article 19(1) of the Treaty on European Union, Article 325(1) of the Treaty on the Functioning of the European Union and Articles 2 and 4 of Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law <sup>(1)</sup> to be interpreted as precluding the adoption of a decision by a body outside the judiciary — the Curtea Constituțională a României (Constitutional Court of Romania) — which provides generally for the re-examination of every corruption case that was decided by the Criminal Chamber of the supreme court ruling at first instance within a given period (2003 to January 2019) and that is currently under appeal?
2. Are Article 2 and [Article] 19(1) of the Treaty on European Union and [the second paragraph of] Article 47 of the Charter of Fundamental Rights of the European Union to be interpreted as precluding a body outside the judiciary from finding that the composition of panels hearing cases within a chamber of the supreme court is unlawful, contrary to the interpretation supported by the consistent and unanimous organisational and judicial practices of that court?
3. Is the primacy of EU law to be interpreted as permitting a national court to disapply a decision of the constitutional court which has been handed down in a case concerning a constitutional dispute and is binding under national law?
4. May the expression 'previously established by law' contained in [the second paragraph of] Article 47 of the Charter of Fundamental Rights of the European Union be interpreted as including the formal designation of specialised panels distinct from the specialisation of the judges of which those panels are composed?

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<sup>(1)</sup> OJ 2017 L 198, p. 29.

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**Appeal brought on 20 December 2019 by Rubik's Brand Ltd against the judgment of the General  
Court (Eighth Chamber) delivered on 24 October 2019 in Case T-601/17, Rubik's Brand Ltd v  
EUIPO — Simba Toys**

**(Case C-936/19 P)**

(2020/C 201/11)

*Language of the case: English*

**Parties**

*Appellant:* Rubik's Brand Ltd (represented by: K. Szamosi, M. Borbás, ügyvéd)