

Judgment of the Court (First Chamber) of 29 April 2021 (request for a preliminary ruling from the Bundesverwaltungsgericht — Germany) — F. v Stadt Karlsruhe

(Case C-47/20) ⁽¹⁾

(Reference for a preliminary ruling — Transport — Driving licences — Withdrawal of the licence in the territory of a Member State other than the issuing Member State — Renewal of the licence by the issuing Member State after the withdrawal decision — No automaticity of mutual recognition)

(2021/C 278/22)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant: F.

Defendant: Stadt Karlsruhe

Operative part of the judgment

Article 2(1) and the second subparagraph of Article 11(4) of Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences must be interpreted as not precluding a Member State, in the territory of which the holder of a driving licence in categories A and B issued by another Member State has been deprived of the right to drive on account of unlawful conduct, which occurred during a temporary stay in that territory after the issue of the licence, from subsequently refusing to recognise the validity of that driving licence, after that licence has been renewed, pursuant to Article 7(3) of that directive, by the Member State where the holder of that licence normally resides, within the meaning of the first paragraph of Article 12 of that directive. It is, however, for the referring court to examine whether, in accordance with the principle of proportionality, the rules, provided for by the legislation of the first Member State, laying down the conditions with which the holder of the driving licence must comply in order to recover the right to drive in its territory, do not exceed the limits of what is appropriate and necessary to attain the objective pursued by Directive 2006/126, consisting in improving road safety.

⁽¹⁾ OJ C 161, 11.5.2020.

Judgment of the Court (First Chamber) of 29 April 2021 (request for a preliminary ruling from the Verwaltungsgerichtshof Baden-Württemberg — Germany) — AR v Stadt Pforzheim

(Case C-56/20) ⁽¹⁾

(Reference for a preliminary ruling — Transport — Driving licences — Mutual recognition — Withdrawal of the licence in the territory of a Member State other than the issuing Member State — Affixing of an endorsement to the driving licence indicating that it is not valid within that Member State)

(2021/C 278/23)

Language of the case: German

Referring court

Verwaltungsgerichtshof Baden-Württemberg

Parties to the main proceedings

Applicant: AR

Defendant: Stadt Pforzheim

Operative part of the judgment

Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences, as amended by Commission Directive 2011/94/EU of 28 November 2011, must be interpreted as precluding a Member State which has adopted, under the second subparagraph of Article 11(4) of that directive, as amended by Directive 2011/94, a decision refusing to recognise the validity of a driving licence issued by another Member State on account of unlawful conduct on the part of its holder, which occurred during a temporary stay in the territory of the first Member State after the issue of that licence, from affixing to that licence also an endorsement indicating a prohibition, for that holder, on driving in that Member State, when that holder has not established his or her normal residence, within the meaning of the first subparagraph of Article 12 of Directive 2006/126, as amended by Directive 2011/94, in the territory of that Member State.

⁽¹⁾ OJ C 209, 22.6.2020.

Judgment of the Court (Sixth Chamber) of 20 May 2021 — Sigrid Dickmanns v European Union Intellectual Property Office (EUIPO)

(Case C-63/20 P) ⁽¹⁾

(Appeal — Civil service — Members of the temporary staff — Fixed-term contract with a termination clause — Not included on the reserve list for a competition — Purely confirmatory measure — Time for bringing a complaint)

(2021/C 278/24)

Language of the case: German

Parties

Appellant: Sigrid Dickmanns (represented by: H. Tettenborn, Rechtsanwalt)

Other party to the proceedings: European Union Intellectual Property Office (EUIPO) (represented by: A. Lukošūtė, acting as Agent, and B. Wägenbaur, Rechtsanwalt)

Operative part of the judgment

The Court:

1. Dismisses the appeal;
2. Orders Ms Sigrid Dickmanns to pay the costs of the present proceedings.

⁽¹⁾ OJ C 201, 15.6.2020.

Judgment of the Court (Fourth Chamber) of 12 May 2021 (request for a preliminary ruling from the Oberster Gerichtshof — Austria) — YL v Altenrhein Luftfahrt GmbH

(Case C-70/20) ⁽¹⁾

(Reference for a preliminary ruling — Air transport — Montreal Convention — Article 17(1) — Air carrier liability in the event of accidents — Concept of ‘accident’ — Hard landing made within the normal operating range of an aircraft — Bodily injury allegedly sustained by a passenger during such a landing — No accident)

(2021/C 278/25)

Language of the case: German

Referring court

Oberster Gerichtshof

Parties to the main proceedings

Applicant: YL

Defendant: Altenrhein Luftfahrt GmbH