

2. Must Articles 5(3) and 7 of that regulation be interpreted as meaning that the operating air carrier arguing extraordinary circumstances as the cause for cancellation can rely on the ground for exoneration in Article 5(3) of the regulation only if it can also prove that the consequences of the cancellation for the individual passenger could not have been prevented by re-booking onto alternative transport?
3. Must a re-booking referred to under question 2 meet specific temporal or qualitative criteria, in particular the criteria set out in Article 5(1)(c)(iii) or in Article 8(1)(b) and (c) of the Regulation?

By order of 14 January 2021, the Court of Justice of the European Union (Ninth Chamber) rules as follows:

1. Article 5(3) of Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91, must be interpreted as meaning that a collision between the elevator of an aircraft in the parking position and the winglet of an aircraft of another airline caused by the movement of the second aircraft falls within the concept of 'extraordinary circumstances' within the meaning of that provision. must be interpreted as meaning that a collision between the elevator of an aircraft in the parked position and the winglet of an aircraft of another airline caused by the movement of the second aircraft is not covered by that regulation.
2. Article 5(1)(c) of Regulation No 261/2004 must be interpreted as meaning that, where an air carrier cancels the originally scheduled flight owing to extraordinary circumstances, the re-routing of a passenger on a flight on which the passenger reaches his final destination on the day after the originally scheduled date of arrival constitutes a 'reasonable measure' which relieves that carrier of its obligation to provide compensation under Article 5(1)(c) and Article 7(1) of that regulation, unless there was another possibility of direct or indirect transport by a flight operated by itself or by another air carrier which arrived with a shorter delay than the next flight operated by the air carrier concerned, unless the latter proves that the provision of such alternative transport would have represented an unacceptable sacrifice for it in view of the capacity of its undertaking at the relevant time, which is for the referring court to determine.

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(<sup>1</sup>) Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ 2004 L 46, p. 1).

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**Appeal brought on 2 July 2020 by Peter Sabo, Lesoochranárske zoskupenie VLK, Hasso Krull, 2 Celsius, Bernard Auric, Tony Lowes, Kent Roberson, Hiite Maja SA, Association de lutte contre toutes formes de Nuisance et de Pollutions sur les communes de Meyreuil et Gardanne (ALNP Meyreuil — Gardanne), Friends of the Irish Environment CLG against the order of the General Court (Fourth Chamber) delivered on 6 May 2020 in Case T-141/19, Sabo and Others v Parliament and Council**

**(Case C-297/20 P)**

(2021/C 72/11)

*Language of the case: English*

#### **Parties**

*Appellants:* Peter Sabo, Lesoochranárske zoskupenie VLK, Hasso Krull, 2 Celsius, Bernard Auric, Tony Lowes, Kent Roberson, Hiite Maja SA, Association de lutte contre toutes formes de Nuisance et de Pollutions sur les communes de Meyreuil et Gardanne (ALNP Meyreuil — Gardanne), Friends of the Irish Environment CLG (represented by: R. Smith and C. Day, Solicitors, by P. Lockley and B. Mitchell, Barristers and by D. Wolfe QC)

*Other parties to the proceedings:* European Parliament, Council of the European Union

By order of 14 January 2021, the Court of Justice (Eighth Chamber) decided that the appeal is dismissed as manifestly unfounded and ordered the appellants to bear their own costs.

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**Appeal brought on 17 July 2020 by Veselin Atanasov Vasilev against the order of the General Court delivered on 7 July 2020 in Case T-273/20, Vasilev v Bulgaria**

**(Case C-320/20 P)**

(2021/C 72/12)

*Language of the case: Bulgarian*

**Parties**

*Appellant:* Veselin Atanasov Vasilev (represented by: B. Kolev, advokat)

*Other party to the proceedings:* Republic of Bulgaria

By order of 12 January 2021, the Court of Justice (Seventh Chamber) dismissed the appeal as manifestly unfounded.

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**Appeal brought on 24 August 2020 by Leinfelder Uhren München GmbH & Co. KG against the judgment of the General Court (Tenth Chamber) delivered on 10 June 2020 in Case T-577/19, Leinfelder Uhren München v EUIPO**

**(Case C-401/20 P)**

(2021/C 72/13)

*Language of the case: German*

**Parties**

*Appellant:* Leinfelder Uhren München GmbH & Co. KG (represented by: S. Lüft, Rechtsanwalt)

*Other parties to the proceedings:* European Union Intellectual Property Office, Thomas Schafft

By order of 19 January 2021, the Court of Justice of the European Union (Chamber determining whether appeals may proceed) did not allow the appeal to proceed and ordered the appellant to bear its own costs.

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**Request for a preliminary ruling from the Verwaltungsgericht Wien (Austria) lodged on 26 October 2020 — CR, GF, TY**

**(Case C-560/20)**

(2021/C 72/14)

*Language of the case: German*

**Referring court**

Verwaltungsgericht Wien

**Parties to the main proceedings**

*Appellants:* CR, GF, TY

*Respondent authority:* Landeshauptmann von Wien (head of government of the province of Vienna)

**Questions referred**

1. Can the third-country national parents of a refugee who has applied for asylum as an unaccompanied minor and has been granted asylum as a minor continue to rely on Article 2(f) in conjunction with Article 10(3)(a) of Council Directive 2003/86/EC <sup>(1)</sup> if the refugee reached the age of majority after being granted asylum but during the procedure for granting a residence permit to his parents?