

**Request for a preliminary ruling from the Tribunale di Bari (Italy) lodged on 22 September 2014 —
Criminal proceedings against Domenico Rosa**

(Case C-433/14)

(2014/C 448/04)

Language of the case: Italian

Referring court

Tribunale di Bari

Party to the main proceedings

Domenico Rosa

Questions referred

- 1) Are Article 49 et seq. TFEU and Article 56 et seq. TFEU, as also construed in the judgment of the Court of Justice of the European Union of 16 February 2012 [in Joined Cases C-72/10 and C-77/10], to be interpreted as precluding a call for tenders for the award of licences with a period of validity shorter than that of licences awarded in the past, where that tendering procedure has been launched in order to remedy the consequences of the unlawful exclusion of a certain number of operators from earlier tendering procedures?
- 2) Are Article 49 et seq. TFEU and Article 56 et seq. TFEU, as also construed in the above judgment of the Court of Justice of the European Union, to be interpreted as precluding the possibility that sufficient justification for the shorter period of validity of licences offered for tender, as compared with licences awarded in the past, can be found in the requirement for the licensing system to be reorganised through the alignment of licence expiry dates?
- 3) Are Article 49 et seq. TFEU and Article 56 et seq. TFEU, as also construed in the above judgment of the Court of Justice of the European Union, to be interpreted as precluding the imposition of an obligation to transfer, free of charge, the use of tangible and intangible assets represented by the betting management and collection network in the event that the activity has ceased owing to the expiry of the licence or as a result of measures disqualifying the licence-holder or withdrawing the licence?

**Request for a preliminary ruling from the Tribunale di Bari (Italy) lodged on 22 September 2014 —
Criminal proceedings against Raffaele Mignone**

(Case C-434/14)

(2014/C 448/05)

Language of the case: Italian

Referring court

Tribunale di Bari

Party to the main proceedings

Raffaele Mignone

Questions referred

- 1) Are Article 49 et seq. TFEU and Article 56 et seq. TFEU, as also construed in the judgment of the Court of Justice of the European Union of 16 February 2012 [in Joined Cases C-72/10 and C-77/10], to be interpreted as precluding a call for tenders for the award of licences with a period of validity shorter than that of licences awarded in the past, where that tendering procedure has been launched in order to remedy the consequences of the unlawful exclusion of a certain number of operators from earlier tendering procedures?

- 2) Are Article 49 et seq. TFEU and Article 56 et seq. TFEU, as also construed in the judgment of the Court of Justice of the European Union of 16 February 2012 in Joined Cases C-72/10 and C-77/10, to be interpreted as precluding the possibility that sufficient justification for the shorter period of validity of licences offered for tender, as compared with licences awarded in the past, can be found in the requirement for the licensing system to be reorganised through the alignment of licence expiry dates?
- 3) Are Article 49 et seq. TFEU and Article 56 et seq. TFEU, as also construed in the judgment of the Court of Justice of the European Union of 16 February 2012 in Joined Cases C-72/10 and C-77/10, to be interpreted as precluding the imposition of an obligation to transfer, free of charge, the use of tangible and intangible assets represented by the betting management and collection network in the event that the activity has ceased owing to the expiry of the licence or as a result of measures disqualifying the licence-holder or withdrawing the licence?

**Request for a preliminary ruling from the Tribunale di Bari (Italy) lodged on 22 September 2014 —
Criminal proceedings against Mauro Barletta**

(Case C-435/14)

(2014/C 448/06)

Language of the case: Italian

Referring court

Tribunale di Bari

Party to the main proceedings

Mauro Barletta

Questions referred

- 1) Are Article 49 et seq. TFEU and Article 56 et seq. TFEU, as also construed in the judgment of the Court of Justice of the European Union of 16 February 2012 [in Joined Cases C-72/10 and C-77/10], to be interpreted as precluding a call for tenders for the award of licences with a period of validity shorter than that of licences awarded in the past, where that tendering procedure has been launched in order to remedy the consequences of the unlawful exclusion of a certain number of operators from earlier tendering procedures?
 - 2) Are Article 49 et seq. TFEU and Article 56 et seq. TFEU, as also construed in the above judgment of the Court of Justice of the European Union, to be interpreted as precluding the possibility that sufficient justification for the shorter period of validity of licences offered for tender, as compared with licences awarded in the past, can be found in the requirement for the licensing system to be reorganised through the alignment of licence expiry dates?
 - 3) Are Article 49 et seq. TFEU and Article 56 et seq. TFEU, as also construed in the above judgment of the Court of Justice of the European Union, to be interpreted as precluding the imposition of an obligation to transfer, free of charge, the use of tangible and intangible assets represented by the betting management and collection network in the event that the activity has ceased owing to the expiry of the licence or as a result of measures disqualifying the licence-holder or withdrawing the licence?
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