**Judgment of the Court (Fourth Chamber) of 1 March 2017 (request for a preliminary ruling from the Court of Appeal (England & Wales) (Civil Division) — United Kingdom) — ITV Broadcasting Limited, ITV2 Limited, ITV Digital Channels Limited, Channel Four Television Corporation, 4 Ventures Limited, Channel 5 Broadcasting Limited, ITV Studios Limited v TVCatchup Limited, TVCatchup (UK) Limited, Media Resources Limited**

**(Case C-275/15)** ([1])

***(Reference for a preliminary ruling — Directive 2001/29/EC — Harmonisation of certain aspects of copyright and related rights in the information society — Article 9 — Access to cable of broadcasting services — Concept of 'cable' — Retransmission of broadcasts of commercial television broadcasters by a third party via the internet — 'Live streaming')***

(2017/C 121/03)

*Language of the case: English*

**Referring court**

Court of Appeal (England & Wales) (Civil Division)

**Parties to the main proceedings**

*Appellants:* ITV Broadcasting Limited, ITV2 Limited, ITV Digital Channels Limited, Channel Four Television Corporation, 4 Ventures Limited, Channel 5 Broadcasting Limited, ITV Studios Limited

*Respondents:* TVCatchup Limited, TVCatchup (UK) Limited, Media Resources Limited

*Interveners:* The Secretary of State for Business, Innovation and Skills, Virgin Media Limited

**Operative part of the judgment**

*Article 9 of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society, and specifically the concept of 'access to cable of broadcasting services', must be interpreted as not covering, and not permitting, national legislation which provides that copyright is not infringed in the case of the immediate retransmission by cable, including, where relevant, via the internet, in the area of initial broadcast, of works broadcast on television channels subject to public service obligations.*

([1]) OJ C 279, 24.8.2015.

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**Judgment of the Court (Tenth Chamber) of 2 March 2017 (request for a preliminary ruling from the Tribunal da Relação de Évora — Portugal) — Andrew Marcus Henderson v Novo Banco SA**

**(Case C-354/15)** ([1])

***(Reference for a preliminary ruling — Judicial cooperation in civil and commercial matters — Service of judicial and extrajudicial documents — Regulation No 1393/2007 — Articles 8, 14 and 19 — Postal service of a document instituting the proceedings — Failure to provide a translation of the document — Annex II — Standard form — None — Consequences — Service by registered letter with acknowledgement of receipt — Failure to return acknowledgement of receipt — Receipt of document by a third party — Conditions of validity of the proceedings)***

(2017/C 121/04)

*Language of the case: Portuguese*

**Referring court**

Tribunal da Relação de Évora

**Parties to the main proceedings**

*Applicant:* Andrew Marcus Henderson

*Defendant:* Novo Banco SA

**Operative part of the judgment**

1. *Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters ('service of documents'), and repealing Council Regulation (EC) No 1348/2000, must be interpreted as precluding national legislation, such as that at issue in the main proceedings, according to which, in the event that a judicial document, served on a defendant residing in the territory of another Member State, has not been drafted or accompanied by a translation either in a language which that defendant understands, or in the official language of the requested Member State or, where there are several official languages in that Member State, in the official language or one of the official languages of the place where service is to be effected, the omission of the standard form set out in Annex II to that regulation renders such service invalid, even if such invalidity must be invoked by that defendant within a specified period or at the beginning of the proceedings and before any defence on the merits.*

   *The regulation requires, on the other hand, that such an omission be corrected in accordance with the provisions laid down in that regulation, by communicating the standard form set out in Annex II of that regulation to the person concerned.*

2. *Regulation No 1393/2007 must be interpreted as meaning that postal service of a document instituting proceedings is valid, even if:*

   — *The acknowledgment of receipt of the registered letter containing the document to be served on the addressee has been replaced by another document, provided that such document provides equivalent guarantees as regards information provided and evidence. It is for the court hearing the matter in the Member State of transmission to satisfy itself that the addressee has received the document in question in such a way as to ensure that his rights of defence have been respected;*

   — *The document to be served has not been delivered to its addressee in person, provided that it has been served on an adult person who is inside the habitual residence of that person and is either a member of his family or an employee in his service. Where appropriate, it is for the addressee to establish, by all admissible forms of evidence before the court hearing the matter in the Member State of transmission, that he could not effectively take account of the fact that judicial proceedings were being brought against him in another Member State, that he could not identify the subject-matter and grounds of the claim, or that he did not have sufficient time to prepare his defence.*

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([1]) OJ C 302, 14.9.2015.

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**Judgment of the Court (Second Chamber) of 2 March 2017 (request for a preliminary ruling from the Landessozialgericht Rheinland-Pfalz, Mainz — Germany) — Alphonse Eschenbrenner v Bundesagentur für Arbeit**

**(Case C-496/15)** ([1])

***(Reference for a preliminary ruling — Freedom of movement for workers — Article 45 TFEU — Regulation (EU) No 492/2011 — Article 7 — Equal treatment — Frontier worker subject to income tax in the Member State of residence — Benefit paid by the Member State of employment in the event of the employer's insolvency — Detailed rules for the calculation of the insolvency benefit — Notional taking into account of the income tax of the Member State of employment — Insolvency benefit lower than the previous net remuneration — Bilateral convention for the avoidance of double taxation)***

(2017/C 121/05)

*Language of the case: German*

**Referring court**

Landessozialgericht Rheinland-Pfalz, Mainz