

**Request for a preliminary ruling from the Tribunal Supremo (Spain) lodged on 28 October 2016 — Gasorba, S.L., Josefa Rico Gil and Antonio Ferrándiz González v Repsol Comercial de Productos Petrolíferos, S.A.**

(Case C-547/16)

(2017/C 022/13)

*Language of the case: Spanish*

**Referring court**

Tribunal Supremo

**Parties to the main proceedings**

*Applicants:* Gasorba, S.L., Josefa Rico Gil and Antonio Ferrándiz González

*Defendant:* Repsol Comercial de Productos Petrolíferos, S.A.

**Questions referred**

1. Under Article 16 ('Uniform application of Community competition law') of Council Regulation (EC) No 1/2003<sup>(1)</sup> of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty, does Commission Decision<sup>(2)</sup> of 12 April 2006 relating to a proceeding pursuant to Article 81 of the EC Treaty (Case COMP/B-1/38.348 — Repsol C.P.P.) preclude a national court from declaring that the agreements to which that decision applies are invalid on account of the duration of the exclusive supply period, even though they may be declared invalid for other reasons such as, for example, the imposition of a minimum retail price by the supplier on the buyer (or reseller)?
2. If so, are long-term contracts to which the Commitment Decision applies to be regarded as benefiting from an individual exemption, under Article 101(3) TFEU, as a consequence of that decision?

<sup>(1)</sup> OJ 2003 L 1, p. 1.

<sup>(2)</sup> OJ 2006 L 176, p. 104.

**Request for a preliminary ruling from the Administrativen sad Sofia-grad (Bulgaria) lodged on 2 November 2016 — WIND INNOVATION 1 EOOD, in liquidation v Direktor na Direktsia 'Obzhalvane I danachno-osiguritelna praktika' — Sofia**

(Case C-552/16)

(2017/C 022/14)

*Language of the case: Bulgarian*

**Referring court**

Administrativen sad Sofia-grad

**Parties to the main proceedings**

*Applicant:* WIND INNOVATION 1 EOOD, in liquidation

*Defendant:* Direktor na Direktsia 'Obzhalvane I danachno-osiguritelna praktika' — Sofia