

**Request for a preliminary ruling from the Corte costituzionale (Italy) lodged on 26 January 2017 —  
M.A.S., M.B.**

**(Case C-42/17)**

(2017/C 195/14)

*Language of the case: Italian*

**Referring court**

Corte costituzionale

**Parties to the main proceedings**

M.A.S., M.B.

**Questions referred**

1. Is Article 325(1) and (2) of the Treaty on the Functioning of the European Union to be interpreted as requiring the criminal court to disapply national legislation on limitation periods which precludes, in a significant number of cases, the punishment of serious fraud affecting the financial interests of the European Union, or which imposes shorter limitation periods for fraud affecting the financial interests of the European Union than for fraud affecting the financial interests of the State, even where there is no sufficiently precise legal basis for such disapplication?
2. Is Article 325(1) and (2) of the Treaty on the Functioning of the European Union to be interpreted as requiring the criminal court to disapply national legislation on limitation periods which precludes, in a significant number of cases, the punishment of serious fraud affecting the financial interests of the European Union, or which imposes shorter limitation periods for fraud affecting the financial interests of the European Union than for fraud affecting the financial interests of the State, even where, in the legal system of the Member State concerned, limitation periods form part of substantive criminal law and are subject to the principle of the legality of criminal proceedings?
3. Is the judgment of the Grand Chamber of the Court of Justice of the European Union of 8 September 2015 in Case C-104/15, *Taricco*, to be interpreted as requiring the criminal court to disapply national legislation on limitation periods which precludes, in a significant number of cases, the punishment of serious fraud affecting the financial interests of the European Union, or which imposes shorter limitation periods for fraud affecting the financial interests of the European Union than for fraud affecting the financial interests of the State, even where such disapplication is at variance with the overriding principles of the constitution of the Member State concerned or with the inalienable rights of the individual conferred by the constitution of the Member State?

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**Appeal brought on 23 February 2017 by Verus Eood against the judgment of the General Court  
(Ninth Chamber) of 7 July 2016 in Case T-82/14, *Copernicus-Trademarks v European Union Intellectual  
Property Office (EUIPO)***

**(Case C-101/17 P)**

(2017/C 195/15)

*Language of the case: German*

**Parties**

*Appellant:* Verus Eood (represented by: C. Pfitzer, Rechtsanwalt)

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

**Form of order sought**

The appellant claims that the Court should:

— set aside the judgment in Case T-82/14 in its entirety;

in the alternative: set aside the judgment in Case T-82/14 and, on the basis of a distortion of the facts in that judgment, refer the case back to the General Court;