

Parties to the main proceedings

Applicant: Skatteverket

Defendant: Srf konsulterna AB

Question referred

Must the expression ‘admission to events’ in Article 53 of the VAT Directive ⁽¹⁾ be interpreted as meaning that it covers a service in the form of a five-day course on accountancy which is supplied solely to taxable persons and requires advance registration and payment?

⁽¹⁾ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ 2006, L 347, p. 1).

Request for a preliminary ruling from the Bundespatentgericht (Germany) lodged on 21 November 2017 — QH

(Case C-650/17)

(2018/C 052/28)

Language of the case: German

Referring court

Bundespatentgericht

Parties to the main proceedings

Applicant: QH

Questions referred

1. Is a product protected by a basic patent in force pursuant to Article 3(a) of Regulation (EC) No 469/2009 ⁽¹⁾ only if it forms part of the subject matter of protection defined by the claims and is thus provided to the expert as a specific embodiment?
2. Is it not therefore sufficient for the requirements of Article 3(a) of Regulation (EC) No 469/2009 if the product in question satisfies the general functional definition of a class of active ingredients in the claims, but is not otherwise indicated in individualised form as a specific embodiment of the method protected by the basic patent?
3. Is a product not protected by a basic patent in force under Article 3(a) of Regulation (EC) No 469/2009 if it is covered by the functional definition in the claims, but was developed only after the filing date of the basic patent as a result of an independent inventive step?

⁽¹⁾ Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products (Codified version) (Text with EEA relevance) (OJ 2009 L 152, p. 1).

Request for a preliminary ruling from the Verwaltungsgerichtshof (Austria) lodged on 24 November 2017 — Hussein Mohamad Hussein

(Case C-657/17)

(2018/C 052/29)

Language of the case: German

Referring court

Verwaltungsgerichtshof

Parties to the main proceedings

Appellant on a point of law: Hussein Mohamad Hussein

Respondent authority: Bundesamt für Fremdenwesen und Asyl

Questions referred

1. Does a failure to respect the time limit specified in Article 5(2) of Regulation No 1560/2003⁽¹⁾ ('the Implementing Regulation') for submitting a request for re-examination in the case where the requested Member State has refused a take charge request in a timely manner pursuant to Article 21(1) of Regulation No 604/2013 ('the Dublin III Regulation')⁽²⁾ result in responsibility being transferred to the requesting Member State in the case where the requesting Member State initially submitted a take charge request in a timely manner within the meaning of the first subparagraph of Article 21(1) of the Dublin III Regulation and the requested Member State was determined, on the basis of (subsequent) investigations, to be the responsible Member State in accordance with the criteria set out in Chapter III of the Dublin III Regulation?
2. Can the requested Member State — and which is the Member State responsible in accordance with the criteria set out in Chapter III of the Dublin III Regulation — effectively accede to the take charge request under Article 21(1) of the Dublin III Regulation even though the time limit for replying specified in Article 22(7) of that regulation has already passed and the requested Member State had previously refused the take charge request in a timely manner?

⁽¹⁾ Commission Regulation (EC) No 1560/2003 of 2 September 2003 laying down detailed rules for the application of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national (OJ 2003 L 222, p. 3).

⁽²⁾ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ 2013 L 180, p. 31).

**Request for a preliminary ruling from the Corte suprema di cassazione (Italy) lodged on
24 November 2017 — Istituto nazionale della previdenza sociale (INPS) v Azienda Napoletana
Mobilità SpA**

(Case C-659/17)

(2018/C 052/30)

Language of the case: Italian

Referring court

Corte suprema di cassazione

Parties to the main proceedings

Appellant: Istituto nazionale della previdenza sociale (INPS)

Respondent: Azienda Napoletana Mobilità SpA

Question referred

Is European Commission Decision 2000/128/EC of 11 May 1999⁽¹⁾ applicable also to employers operating local public transport services — on a substantially non-competitive basis, given the exclusive nature of the service carried out — which have benefited from reductions in contributions after entering into training and work experience contracts since Law No 407 of 1990 came into force, with reference, in the present case, to the period from [May] 1997 to May 2001?

⁽¹⁾ Commission Decision of 11 May 1999 concerning aid granted by Italy to promote employment (Notified under document number C(1999) 1364) (OJ L 42, p. 1).