

Reference for a preliminary ruling from the Court of Appeal (United Kingdom) made on 5 March 2018 — Safeway Ltd v Andrew Richard Newton, Safeway Pension Trustees Ltd

(Case C-171/18)

(2018/C 190/10)

Language of the case: English

Referring court

Court of Appeal

Parties to the main proceedings

Applicant: Safeway Ltd

Defendants: Andrew Richard Newton, Safeway Pension Trustees Ltd

Question referred

Where the rules of a pension scheme confer a power, as a matter of domestic law, upon the amendment of its Trust deed, to reduce retrospectively the value of both men's and women's accrued pension rights for a period between the date of a written announcement of intended changes to the scheme and the date when the Trust deed is actually amended, does Article 157 of the Treaty on the Functioning of the European Union (previously and at the material time Article 119 of the Treaty of Rome) require both men's and women's accrued pension rights to be treated as indefeasible during that period, in the sense that their pension rights are protected from retrospective reduction by the use of the domestic law power?

Reference for a preliminary ruling from the Court of Appeal (United Kingdom) made on 5 March 2018 — AMS Neve Ltd, Barnett Waddingham Trustees, Mark Crabtree v Heritage Audio SL, Pedro Rodríguez Arribas

(Case C-172/18)

(2018/C 190/11)

Language of the case: English

Referring court

Court of Appeal

Parties to the main proceedings

Applicants: AMS Neve Ltd, Barnett Waddingham Trustees, Mark Crabtree

Defendants: Heritage Audio SL, Pedro Rodríguez Arribas

Questions referred

In circumstances where an undertaking is established and domiciled in Member State A and has taken steps in that territory to advertise and offer for sale goods under a sign identical to an EU trade mark on a website targeted at traders and consumers in Member State B:

- i) does an EU trade mark court in Member State B have jurisdiction to hear a claim for infringement of the EU trade mark in respect of the advertisement and offer for sale of the goods in that territory?