

Judgment of the Court (Third Chamber) of 20 July 2017 (request for a preliminary ruling from the Oberster Gerichtshof — Austria) — Landeskrankenanstalten-Betriebsgesellschaft — KABEG v Mutuelles du Mans assurances — MMA IARD SA

(Case C-340/16) ⁽¹⁾

(Reference for a preliminary ruling — Judicial cooperation in civil matters — Regulation (EC) No 44/2001 — Article 9(1) — Article 11(2) — Jurisdiction in matters relating to insurance — Direct action by the injured party against the insurer — Action brought by the employer, a public-law institution, statutory assignee of the rights of its employee, against the insurer of the vehicle involved — Subrogation)

(2017/C 300/07)

Language of the case: German

Referring court

Oberster Gerichtshof

Parties to the main proceedings

Applicant: Landeskrankenanstalten-Betriebsgesellschaft — KABEG

Defendant: Mutuelles du Mans assurances — MMA IARD SA

Operative part of the judgment

Article 9(1)(b) of Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, read together with Article 11(2) thereof, must be interpreted as meaning that an employer, established in one Member State, which continued to pay the salary of its employee absent as the result of a road traffic accident and to which have passed the employee's rights with regard to the company insuring the civil liability resulting from the vehicle involved in that accident, which is established in a second Member State, may, in the capacity of 'injured party', within the meaning of Article 11(2), sue the insurance company before the courts of the first Member State, where a direct action is permitted.

⁽¹⁾ OJ C 305, 22.8.2016.

Judgment of the Court (Tenth Chamber) of 20 July 2017 (request for a preliminary ruling from the Lietuvos vyriausiasis administracinis teismas — Lithuania) — UAB 'Gelvora' v Valstybinė vartotojų teisių apsaugos tarnyba

(Case C-357/16) ⁽¹⁾

(Reference for a preliminary ruling — Unfair commercial practices — Directive 2005/29/EC — Scope — Debt collection agency — Consumer credit — Assignment of debt — Nature of the legal relationship between the agency and the debtor — Article 2(c) — Concept of 'product' — Recovery measures taken in parallel to the intervention of a bailiff)

(2017/C 300/08)

Language of the case: Lithuanian

Referring court

Lietuvos vyriausiasis administracinis teismas