



Newsletter

Week XLI - XLII: 07th to 18th October 2024

Contact us

@ENDesk

Jacques René
Zammit
Press Officer
+352 4303 3355

Monica Pizzo
Assistant
+352 4303 3366

Desk Email
Press.ENdesk@curia.europa.eu

Follow
[@EUCourtPress](#)
on X (formerly
Twitter)

Download our
app



All times are 9:30
unless otherwise
stated.

Week XLI: 7th to 11th October

This week there will be a partial renewal of membership and entry into office of new Members of the Court of Justice.

Following this partial replacement of the Members of the Court of Justice, elections will be held for the posts of President, Vice-Presidents and Presidents of Chambers of the Court.

Press releases covering the partial renewal and the elections will be issued on the 7th and 8th of October.

Week XLI: 14th to 18th October

Thursday 17th October

[Judgment in Case C-159/23 Sony Computer Entertainment Europe](#)

(Intellectual, industrial and commercial property)

Sony markets PlayStation video game consoles and games for these consoles. Until 2014, it marketed in particular the PlayStation Portable console and the game MotorStorm: Arctic Edge.

Sony brought an action before the German courts against Datel, which markets software and a device that complements the PlayStation. These products make it possible to use the 'turbo' more freely and to choose the driver more freely.

Sony considers that Datel's products have the effect of transforming the software underlying its game and thus infringe its exclusive right to authorise such transformations.

It therefore requested that Datel be prohibited from marketing the products in question and ordered to pay compensation for the damage allegedly suffered.

Week XLI - XLII: 7th to 18th October 2024

Don't forget to check the diary on our website for details of other cases.

.....

The German Federal Court of Justice (BGH) asked the Court of Justice to interpret the Directive on the legal protection of computer programs, Directive [2009/24/CE](#).

[Background Documents C-159/23](#)

There will be a press release for this case.

Thursday 17th October

[Judgment in Case C-76/22 Santander Bank Polska](#)

(Consumers protection)

In Poland, a consumer took out a 360-month mortgage loan. When the contract was concluded, she paid a commission linked to the granting of the credit, which was included in the total cost of the loan.

19 months later, the consumer repaid the loan in full. She expected the bank to reimburse part of the commission, corresponding to the remaining term of the same contract (i.e. 341 months). When the bank rejected her claim, the consumer appealed to the court.

The national court had doubts about the interpretation of EU law ([Directive 2014/17/EU](#) on credit agreements for consumers relating to residential immovable property). It wishes to know whether, in the event of early repayment of a mortgage loan, the commission linked to the granting of that loan should be partially reimbursed. If this were the case, the Polish judge asked the Court of Justice about the method for calculating the sum due.

[Background Documents C-76/22](#)

There will be a press release for this case.

Thursday 17th October

[Judgment in Case C-304/23 Commission v Malta \(Wastewater treatment plant capacity\)](#)

(Environment)

According to the [Annex XI](#) to the European Union (Accessions) Act 2003, Malta could derogate from applying Article 4 of [Directive 91/271/EEC](#) on urban waste-water treatment until March 31, 2007, provided that compliance with the Directive is achieved for North Malta, corresponding to a further 8% of the total biodegradable load by October 31, 2006.

On September 9, 2015, the Commission sent to Malta a request for information, stating that the assessment of the available data communicated by the Maltese authorities revealed at December 31, 2012 the noncompliance with a number of obligations:

- a) secondary treatment of urban wastewater – agglomerations of Malta South and Malta North (Art. 4);
- b) more stringent treatment – agglomeration of Malta North (Art. 5), since the treatment plant concerned discharged its effluent into areas which had been identified as being sensitive to nitrogen on April 22, 2005. In accordance with Article 5(7), this agglomeration as sensitive area had to comply with the requirements of Article 5 within 7 years of the identification of sensitive areas, i.e. by April 22, 2012 at the latest.

On December 8, 2016, the Commission sent a letter of formal notice to Malta, concluding, that Malta had failed to fulfil its obligations Directive 91/271/EEC, based on the above-mentioned data.

By letter of April 12, 2017, Malta replied to this letter of formal notice, admitting that the agglomerations of South Malta and North Malta did not comply yet with the relevant requirements of Directive 91/271.

On October 5, 2017, the Commission sent a reasoned opinion to Malta.

Malta responded to this reasoned opinion by letters dated December 22, 2017, July 13, 2018 and August 8, 2019. The case was also discussed at a meeting with the Maltese authorities organised by the Commission on November 25-26, 2019.

Following a letter from the Commission dated November 23, 2020, addressing issues raised at that meeting, the Maltese authorities sent updated information by letters dated March 18, 2021, August 13, 2021 and August 5, 2022.

Not satisfied with this information, the Commission has decided to bring the present action.

Background Documents C-304/23

There will be an Info Rapide for the case (available on request).

HEARINGS OF NOTE*

Information Note concerning streaming on the Curia website

Please note the following new conditions for streaming on the website including the new length of availability of the video recordings:

Week XLI - XLII: 7th to 18th October 2024

In order to facilitate public access to its judicial activity, the Court of Justice of the European Union offers a system for broadcasting hearings.

The delivery of judgments of the Court of Justice and the reading of opinions of the Advocate Generals are broadcast live on [this page](#). Broadcasting will be enabled at the start of the hearing, at the time indicated in the [judicial calendar](#).

Certain hearings of the Court of Justice involving oral pleadings are, however, broadcast with a delay. This concerns, as a rule, hearings in cases referred to the full Court, to the Grand Chamber, or, exceptionally, where this is justified by the importance of the case, to a Chamber of five Judges. The video recordings of those hearings will remain available on this website for a maximum period of one month after the close of the hearing.

Court of Justice

Monday 14th October 2024: 09:30 – Case [C-305/22 C.J. \(Enforcement of a conviction following an EAW\)](#) (Area of Freedom, Security and Justice – Judicial cooperation in civil matters) **(streamed on Curia)**

Monday 14th October 2024: 14:30 – Case [C-595/23 Cuprea](#) (Area of Freedom, Security and Justice – Judicial cooperation in criminal matters) **(streamed on Curia)**

Tuesday 15th October 2024: 09:30 – Case [C-271/23 Commission v Hungary \(Cannabis reclassification\)](#) (Law governing the institutions) **(streamed on Curia)**

Wednesday 16th October 2024: 09:30 – Case [C-581/23 Beevers Kaas](#) (Competition)

Thursday 17th October 2024: 09:30 – Case [C-427/23 Határ Diszkont](#) (Taxation)

General Court

Tuesday 08th October 2024: 09.30 – Case [T-349/23 Semedo v Parliament](#) (Staff Regulations of officials and Conditions of Employment of other servants)

Tuesday 15th October 2024: 09:30 – Case [T-271/23 Alfa-Bank v Council](#) (Restrictive measures – Ukraine)

* This is a non-exhaustive list and does not include all the hearings over the next two weeks.

Newsletter

Week XLI - XLII: 7th to 18th October 2024

