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## Highlights

**COUNCIL DECISION** of 9 June 2011 on the **approval, on behalf of the European Union, of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance** (2011/432/EU)

[OJ of the EU, L 192/39 of 22 July 2011 - FR](#)

**NOTICES FROM MEMBER STATES** Update of the **list of residence permits referred** to in Article 2(15) of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community **Code on the rules governing the movement of persons across borders** (Schengen Borders Code) (2011/C 201/01)

[OJ of the EU, C 201/1 of 8 July 2011 - FR](#)

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## EU News: Click & Read

### July 2011

European Documentation Centre

Editors:

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This monthly newsletter contains a selection of recent official documents of the European Union. It features information of particular interest to Swiss readers and aims to provide universities, cantonal and federal administrations, lawyers, trading enterprises and financial businesses with information about the latest legal developments in the European Union. Written in English and French, the newsletter offers links to documents in both languages.

We hope you will find this issue both useful and a pleasure to read.

## 1. EU-Swiss Relations

### International Agreements

**DECISION** No 1/2011 OF THE JOINT COMMUNITY/SWITZERLAND AIR TRANSPORT COMMITTEE SET UP UNDER THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON AIR TRANSPORT of 4 July 2011 replacing the Annex to the **Agreement between the European Community and the Swiss Confederation on Air Transport** (2011/419/EU)

[OJ of the EU, L 186/32 of July 2011 - FR](#)

**COMMISSION DECISION** of 11 July 2011 on the position to be taken by the European Union, within the EU-Switzerland Joint Committee, **on the rules of procedure to be adopted** by it in accordance with Article 19(4) of the Agreement between the European Community and the Swiss Confederation on the **simplification of inspections and formalities in respect of the carriage of goods and on customs security measures** (2011/409/EU)

[OJ of the EU, L 182/28 of July 2011 - FR](#)

### Community Legislation

**COMMISSION IMPLEMENTING DECISION** of 1 July 2011 amending the **SIRENE Manual** (*notified under document C(2011) 4574*)

[OJ of the EU, L 186/16 of 15 July 2011 - FR](#)

**NOTICES FROM MEMBER STATES** Update of the **list of residence permits referred** to in Article 2(15) of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community **Code on the rules governing the movement of persons across borders** (Schengen Borders Code) (2011/C 201/01)

[OJ of the EU, C 201/1 of 8 July 2011 - FR](#)

## 2. External Relations / Foreign Policy

### Case Law

**Case C-101/10: Judgment of the Court (Fourth Chamber) of 7 July 2011 - Gentcho Pavlov et Gregor Famira v Ausschuss der Rechtsanwaltskammer Wien** - **External relations – Association agreements** – National legislation excluding, before the accession of the Republic of Bulgaria to the European Union, Bulgarian nationals from inclusion on the list of trainee lawyers – Compatibility of that legislation with the prohibition of all discrimination based on nationality, as regards working conditions, in the EC-Bulgaria Association Agreement

[CURIA – Judgment in Case C-101/10 of the Court of Justice of 07 July 2011 - FR](#)

**Case C-27/09 P: Opinion of Advocate General Sharpston of 14 July 2011 - French Republic v People's Mojahedin Organization of Iran** - Appeal – **Restrictive measures with a view to combating terrorism** – Freezing of funds and capital

[CURIA – Opinion of Advocate General C-27/09 P of the Court of Justice of 14 July 2011 - FR](#)

**Case C-187/10: Opinion of Advocate General Sharpston of 21 July 2011 - Baris Ünal v Staatssecretaris van Justitie** - **EEC-Turkey Association Agreement – Decision No 1/80 of the Association Council – Right of residence of Turkish nationals** – Residence permit granted to a Turkish national in order to allow him to live with his partner – Failure to inform the competent authorities of the separation of the parties – Withdrawal of the residence permit

[CURIA – Opinion of Advocate General C-187/10 of the Court of Justice of 21 July 2011 - FR](#)

**Case C-186/10: Judgment of the Court (Second Chamber) of 21 July 2011 - Tural Oguz v Secretary of State for the Home Department - EEC-Turkey Association Agreement – Article 41(1) of the Additional Protocol – Standstill clause – Freedom of establishment** – Refusal of the application for further leave to remain from a Turkish national who had established a business in breach of the conditions of his leave to remain – Abuse of rights

[CURIA – Judgment in Case C-186/10 of the Court of Justice of 21 June 2011 - FR](#)

### 3. Agriculture and Fisheries / Maritime Affairs

#### Case Law

**Case C-485/09: Judgment of the Court (Sixth Chamber) of 30 June 2011 - Viamex Agrar Handels GmbH v Hauptzollamt Hamburg-Jonas - Directive 91/628/EEC – Point 48(5) of Chapter VII of the Annex – Regulation (EC) No 615/98 – Article 5(3) – Export refunds** – Protection of bovine animals during rail transport – Conditions for payment of export refunds for bovine animals – **Compliance with Directive 91/628/EEC** – Principle of proportionality

[CURIA – Judgment in Case C-485/09 of the Court of Justice of 30 June 2011 - FR](#)

**Case C-523/09: Judgment of the Court (Fifth Chamber) of 7 July 2011 - Rakvere Piim AS and Maag Piimatööstus AS v Veterinaar- ja Toiduamet - Common agricultural policy** – Fees for health inspections and controls in respect of milk production

[CURIA – Judgment in Case C-523/09 of the Court of Justice of 07 July 2011 - FR](#)

**Affaire C-197/10 : Conclusions de l’Avocat Général Kokott du 7 juillet 2011 - Unió de Pagesos de Catalunya contre Administración del Estado ; Coordinadora de Organizaciones de Agricultores y Ganaderos – Iniciativa Rural del Estado Español - Politique agricole commune – Régime de paiement unique – Réserve nationale** – Possibilité d’attribuer des quantités de référence aux nouveaux agriculteurs – Pouvoir d’appréciation des États membres – Attribution limitée aux jeunes agriculteurs – Licéité

[CURIA – Conclusions de l’Avocat Général C-197/10 de la Cour de Justice du 07 juillet 2011 \(FR seulement\)](#)

**Case C-21/10: Judgment of the Court (Third Chamber) of 21 July 2011 - Károly Nagy v Mezőgazdasági és Vidékfejlesztési Hivatal - Common agricultural policy – EAGGF financing – Regulations (EC) No 1257/1999 and No 817/2004 – Community support for rural development – Support for agri-environmental production methods** – Agri-environmental aid other than ‘livestock’ aid, the grant of which is conditional upon a certain density of livestock – Application of the integrated administration and control system – System for the identification and registration of bovine animals – Duty of national authorities to provide information on the conditions for eligibility

[CURIA – Judgment in Case C-21/10 of the Court of Justice of 21 July 2011 - FR](#)

**Case C-150/10: Judgment of the Court (Fourth Chamber) of 21 July 2011 - Bureau d’intervention et de restitution belge v Beneo-Orafti SA - Agriculture – Common organisation of the markets – Sugar – Nature and scope of transitional quotas allocated to an undertaking producing sugar** – Possibility for an undertaking receiving restructuring aid for the marketing year 2006/2007 to use the transitional quota allocated to that undertaking – Calculation of the amount to be recovered and of the penalty to be applied in the case of non-compliance with commitments entered into under the restructuring plan – Ne bis in idem principle

[CURIA – Judgment in Case C-150/10 of the Court of Justice of 21 July 2011 - FR](#)

**Case C-15/10: Judgment of the Court (Fourth Chamber) of 21 July 2011 - Etimine SA v Secretary of State for Work and Pensions - Environment and protection of human health – Directive 67/548/EEC – Regulation (EC) No 1272/2008 – Borate substances** – Classification as reprotoxic substances in category 2 – Directive 2008/58/EC and Regulation (EC) No 790/2009 – Adaptation of the classifications to technical and scientific progress – Validity – Methods of assessing the intrinsic properties of those substances – Manifest error of assessment – Legal basis – Obligation to state reasons – Principle of proportionality

[CURIA – Judgment in Case C-15/10 of the Court of Justice of 21 July 2011 - FR](#)

**Case C-14/10: Judgment of the Court (Fourth Chamber) of 21 July 2011 - Nickel Institute v Secretary of State for Work and Pensions - Environment and protection of human health – Directive 67/548/EEC – Regulation (EC) No 1272/2008 – Classification of nickel carbonates, nickel hydroxides and a number of grouped nickel substances as dangerous substances** – Validity of Directives 2008/58/EC and 2009/2/EC and of Regulation (EC) No 790/2009 – Adaptation of the classifications to technical and scientific progress – Validity – Methods of assessing the intrinsic properties of those substances – Manifest error of assessment – Legal basis – Obligation to state reasons

[CURIA – Judgment in Case C-14/10 of the Court of Justice of 21 July 2011 - FR](#)

## 5. Competition

### Case Law

**Case C-445/09: Judgment of the Court (Second Chamber) of 7 July 2011 - IMC Securities BV v Stichting Autoriteit Financiële Markten - Directive 2003/6/EC – Market manipulation** – Securing prices at an abnormal or artificial level

[CURIA – Judgment in Case C-445/09 of the Court of Justice of 07 July 2011 - FR](#)

## 6. Customs

### Case Law

**Affaire C-454/10 : Conclusions de l'Avocat Général Villalón du 14 juillet 2011 - Oliver Jestel contre Hauptzollamt Aachen - Union douanière – Code des douanes communautaire – Règlement (CEE) n° 2913/92 – Naissance de la dette douanière – Introduction irrégulière de marchandises dans le territoire douanier de l'Union – Article 202 – Notion de débiteur** – Détenteur d'une boutique eBay participant à la conclusion de contrats de vente relatifs à des marchandises originaires d'un État tiers – Introduction des marchandises dans le territoire douanier de l'Union par voie postale sans accomplissement des formalités douanières – Participation à l'introduction irrégulière de marchandises dans le territoire de l'Union

[CURIA – Conclusions de l'Avocat Général C-454/10 de la Cour de Justice du 14 juillet 2011 \(FR seulement\)](#)

**Case C-196/10: Judgment of the Court (Eighth Chamber) of 14 July 2011 - Paderborner Brauerei Haus Cramer KG v Hauptzollamt Bielefeld - Common Customs Tariff – Combined Nomenclature – Tariff classification** – Headings 2203 and 2208 – Malt beer base intended for use in the production of a mixed drink

[CURIA – Judgment in Case C-196/10 of the Court of Justice of 14 July 2011 - FR](#)

## 7. Economic and Monetary Affairs, Taxation, Enterprise

### Community Legislation

**COMMISSION RECOMMENDATION** of 18 July 2011 on **access** to a basic **payment account** (Text with EEA relevance) (2011/442/EU)

[OJ of the EU, L 190/87 of 21 July 2011 - FR](#)

**COUNCIL DIRECTIVE** 2011/64/EU of 21 June 2011 on the **structure and rates of excise duty applied to manufactured tobacco** (codification)

[OJ of the EU, L 176/24 of 5 July 2011 - FR](#)

**DIRECTIVE 2011/61/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** of 8 June 2011 on **Alternative Investment Fund Managers** and amending Directives 2003/41/EC and 2009/65/EC and Regulations (EC) No 1060/2009 and (EU) No 1095/2010 (Text with EEA relevance)

[OJ of the EU, L 174/1 of 1 July 2011 - FR](#)

## Case Law

**Case C-262/09: Judgment of the Court (First Chamber) of 30 June 2011 - Wienand Meilicke, Heidi Christa Weyde, Marina Stöffler v Finanzamt Bonn-Innenstadt - Free movement of capital – Income tax – Certificate relating to corporation tax actually paid on dividends of foreign origin** – Prevention of double taxation of dividends – Tax credit for dividends paid by resident companies – Proof required as to the foreign tax deductible

[CURIA – Judgment in Case C-262/09 of the Court of Justice of 30 June 2011 - FR](#)

**Affaire C-263/10 : Arrêt de la Cour (première chambre) du 7 juillet 2011 - Iulian Nisipeanu contre Direcția Generală a Finanțelor Publice Gorj e.a. - Impositions intérieures – Article 110 TFUE** – Taxe sur la pollution prélevée lors de la première immatriculation de véhicules automobiles

[CURIA – Arrêt dans l'affaire C-263/10 de la Cour de Justice du 07 juillet 2011 \(FR seulement\)](#)

**Case C-93/10: Opinion of Advocate General Jääskinen of 14 July 2011 - Finanzamt Essen-NordOst v GFKL Financial Services AG - Purchase of defaulted debts at a price calculated in relation to the likelihood of default – Sixth VAT Directive – Scope** – Article 2(1) – Supply of services for consideration – Article 13B(d) – Exemption – Debt collection and factoring – Article 11A(1)(a) – Taxable amount

[CURIA – Opinion of Advocate General C-93/10 of the Court of Justice of 14 July 2011 - FR](#)

**Case C-464/10: Judgment of the Court (Seventh Chamber) of 14 July 2011 - État belge v Pierre Henfling, Raphaël Davin and Koenraad Tanghe, acting as administrators in the insolvency of Tiercé Franco-Belge SA - Taxation – Sixth VAT Directive – Article 6(4) – Exemption – Article 13(B)(f) – Gambling** – Services provided by a commission agent 'buraliste' acting in his own name but on behalf of a principal operating a business of taking bets

[CURIA – Judgment in Case C-464/10 of the Court of Justice of 14 July 2011 - FR](#)

**Case C-397/09: Judgment of the Court (Third Chamber) of 21 July 2011 - Scheuten Solar Technology GmbH v Finanzamt Gelsenkirchen-Süd - Taxation – Directive 2003/49/EC** – Common system of taxation applicable to interest and royalty payments made between associated companies of different Member States – Business tax – Determination of the basis of assessment

[CURIA – Judgment in Case C-397/09 of the Court of Justice of 21 July 2011 - FR](#)

## Preparatory Acts, Reports, Calls, Memos, Common Positions

**Opinion of the European Data Protection Supervisor on the proposal for a Regulation of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories (2011/C 216/04)**

[OJ of the EU, C 216/9 of 22 July 2011 - FR](#)

## 9. Employment and Social Affairs

### Community Legislation

**COUNCIL DECISION of 6 June 2011 on the position to be taken by the European Union within the EEA Joint Committee concerning an amendment to Annex VI (Social Security) and Protocol 37 to the EEA Agreement (2011/407/EU)**

[OJ of the EU, L 182/12 of 12 July 2011 - FR](#)

## Case Law

**Case C-310/10: Judgment of the Court (Fourth Chamber) of 7 July 2011 - Ministerul Justiției și Libertăților Cetățenești v Ștefan Agafiței and Others - Salary rights of judges – Discrimination on grounds of membership of a socio-professional category or place of work – Conditions for compensation for the harm suffered – Directives 2000/43/EC and 2000/78/EC – Inapplicability – Inadmissibility of the reference for a preliminary ruling**

[CURIA – Judgment in Case C-310/10 of the Court of Justice of 07 July 2011 - FR](#)

**Affaire C-214/10 : Conclusions de l'Avocat Général Trstenjak du 7 juillet 2011 - KHS AG contre Winfried Schulte - Conditions de travail – Aménagement du temps de travail – Article 7 de la directive 2003/88/CE – Droit au congé annuel payé – Indemnisation pour congé annuel payé non pris à la fin de la relation de travail – Extinction du droit au congé annuel payé non pris pour cause de maladie à l'expiration d'un délai prévu par une réglementation nationale**

[CURIA – Conclusions de l'Avocat Général C-214/10 de la Cour de Justice du 07 juillet 2011 \(FR seulement\)](#)

**Case C-503/09: Judgment of the Court (Second Chamber) of 21 July 2011 - Lucy Stewart v Secretary of State for Work and Pensions - Social security – Regulation (EEC) No 1408/71 – Articles 4, 10 and 10a – Short-term incapacity benefit in youth – Sickness benefit or invalidity benefit – Conditions of residence, presence on the date on which the claim is made and past presence – Citizenship of the Union – Proportionality**

[CURIA – Judgment in Case C-503/09 of the Court of Justice of 21 July 2011 - FR](#)

**Joined Cases C-159/10 and C-160/10: Judgment of the Court (Second Chamber) of 21 July 2011 - Gerhard Fuchs (C-159/10), Peter Köhler (C-160/10) v Land Hessen - Directive 2000/78/EC – Article 6(1) – Prohibition of discrimination on grounds of age – Compulsory retirement of prosecutors on reaching the age of 65 – Legitimate aims justifying a difference of treatment on grounds of age – Coherence of the legislation**

[CURIA – Judgment in joined Cases 159/10 and C-160/10 of the Court of Justice of 21 July 2011 - FR](#)

**Case C-104/10: Judgment of the Court (Second Chamber) of 21 July 2011 - Patrick Kelly v National University of Ireland (University College, Dublin) - Directives 76/207/EEC, 97/80/EC and 2002/73/EC – Access to vocational training – Equal treatment for men and women – Rejection of candidature – Access of an applicant for vocational training to information on the qualifications of the other applicants**

[CURIA – Judgment in Case C-104/10 of the Court of Justice of 21 July 2011 - FR](#)

## 10. Energy and Environment

### Community Legislation

**DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (recast) (Text with EEA relevance)**

[OJ of the EU, L 174/88 of 1 July 2011 - FR](#)

### Case Law

**Case C-474/10: Opinion of Advocate General Bot of 14 July 2011 - Seaport (NI) Ltd, Magherafelt District Council and Others v Department of the Environment for Northern Ireland - Directive 2001/42/EC – Assessment of the effects of certain plans and programmes on the environment – Consultation procedure – Designation of the authorities with environmental responsibilities – Time-limits set for the purposes of the consultation procedure**

[CURIA – Opinion of Advocate General C-474/10 of the Court of Justice of 14 July 2011 - FR](#)

**Affaire C-405/10 : Conclusions de l'Avocat Général Bot du 21 juillet 2011 - Staatsanwaltschaft Karlsruhe contre Özlem Garenfeld - Protection de l'environnement – Règlement (CE) n° 1013/2006 – Contrôle des transferts de déchets dangereux et d'autres déchets – Interdiction d'exportation des catalyseurs vers le Liban**  
[CURIA – Conclusions de l'Avocat Général C-405/10 de la Cour de Justice du 21 juillet 2011 \(FR seulement\)](#)

**Affaire C-242/10 : Conclusions de l'Avocat Général Villalón du 21 juillet 2011 - ENEL Produzione SpA contre Autorità per l'energia elettrica e il gas - Directive 2003/54/CE – Marché intérieur de l'électricité – Services d'appel et équilibrage – Installations essentielles pour le fonctionnement et la sécurité du système électrique – Obligations de service public imposées à certains producteurs d'électricité»**  
[CURIA – Conclusions de l'Avocat Général C-242/10 de la Cour de Justice du 21 juillet 2011 \(FR seulement\)](#)

**Case C-2/10: Judgment of the Court (First Chamber) of 21 July 2011 - Azienda Agro-Zootecnica Franchini Sarl and Eolica di Altamura Srl v Regione Puglia - Environment – Directive 92/43/EEC – Conservation of natural habitats and of wild fauna and flora – Directive 79/409/EEC – Conservation of wild birds – Special areas of conservation forming part of the Natura 2000 European Ecological Network – Directives 2009/28/EC and 2001/77/EC – Renewable energy sources – National rules – Prohibition on the location of wind turbines not intended for self-consumption – No assessment of the environmental implications of the project**  
[CURIA – Judgment in Case C-2/10 of the Court of Justice of 21 July 2011 - FR](#)

## 11. Food Safety, Public Health and Consumers

### Community Legislation

**DIRECTIVE 2011/62/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 8 June 2011 amending Directive 2001/83/EC on the Community code relating to medicinal products for human use, as regards the prevention of the entry into the legal supply chain of falsified medicinal products** (Text with EEA relevance)  
[OJ of the EU, L 174/74 of 1 July 2011 - FR](#)

**COMMISSION RECOMMENDATION of 11 July 2011 on the research joint programming initiative 'More years, better lives – the potential and challenges of demographic change'** (2011/413/EU)  
[OJ of the EU, L 183/28 of 13 July 2011 - FR](#)

### Case Law

**Joined Cases C-322/10 and C-422/10: Opinion of Advocate General Trstenjak of 13 July 2011 - Medeva BV v Comptroller-General of Patents, Designs and Trade Marks (C-322/10) and Georgetown University, University of Rochester and Loyola University of Chicago v Comptroller-General of Patents, Designs and Trade Marks (C-422/10) - Supplementary protection certificate for medicinal products – Regulation (EC) No 469/2009 – Multi-disease vaccine – Conditions for the grant of a supplementary protection certificate – Product – Protection by a basic patent in force – Authorisation to place the product on the market as a medicinal product**  
[CURIA – Opinion of Advocate General in joined Cases C-322/10 and C-422/10 of the Court of Justice of 13 July 2011 - FR](#)

**Case C-15/10: Judgment of the Court (Fourth Chamber) of 21 July 2011 - Etimine SA v Secretary of State for Work and Pensions - Environment and protection of human health – Directive 67/548/EEC – Regulation (EC) No 1272/2008 – Borate substances – Classification as reprotoxic substances in category 2 – Directive 2008/58/EC and Regulation (EC) No 790/2009 – Adaptation of the classifications to technical and scientific progress – Validity – Methods of assessing the intrinsic properties of those substances – Manifest error of assessment – Legal basis – Obligation to state reasons – Principle of proportionality**  
[CURIA – Judgment in Case C-15/10 of the Court of Justice of 21 July 2011 - FR](#)

**Case C-14/10: Judgment of the Court (Fourth Chamber) of 21 July 2011 - Nickel Institute v Secretary of State for Work and Pensions - Environment and protection of human health – Directive 67/548/EEC – Regulation (EC) No 1272/2008 – Classification of nickel carbonates, nickel hydroxides and a number of grouped nickel substances as dangerous substances – Validity of Directives 2008/58/EC and 2009/2/EC and of Regulation (EC) No 790/2009 – Adaptation of the classifications to technical and scientific progress – Validity – Methods of assessing the intrinsic properties of those substances – Manifest error of assessment – Legal basis – Obligation to state reasons**

[CURIA – Judgment in Case C-14/10 of the Court of Justice of 21 July 2011 - FR](#)

## 13. Internal Market and Single Market

### Case Law

**Affaires jointes C-463/10 P et C-475/10 P : Conclusions de l'Avocat Général Bot du 30 juin 2011 - Deutsche Post AG (C-463/10 P) et République fédérale d'Allemagne (C-475/10 P) contre Commission européenne - Pourvois – Aides d'État – Mesures prises par les autorités allemandes en faveur de Deutsche Post AG – Règlement (CE) n° 659/1999 – Article 10, paragraphe 3 – Article 230 CE – Recevabilité du recours en annulation formé contre une décision portant injonction de fournir des informations – Notion d'acte attaquant – Principe de la protection juridictionnelle effective – Qualité pour agir de Deutsche Post AG**

[CURIA – Conclusions de l'Avocat Général C-463/10 P de la Cour de Justice du 30 juin 2011 \(FR seulement\)](#)

**Affaire C-397/10 : Arrêt de la Cour (cinquième chambre) of 30 juin 2011 - Commission européenne contre Royaume de Belgique - Manquement d'État – Article 56 TFUE – Libre prestation de services – Réglementation nationale soumettant les activités des agences de travail intérimaire à une série d'obligations – Entraves injustifiées**

[CURIA – Arrêt dans l'affaire C-397/10 de la Cour de Justice du 30 juin 2011 \(FR seulement\)](#)

**Case C-388/09: Judgment of the Court (Second Chamber) of 30 June 2011 - Joao Filipe da Silva Martins v Bank Betriebskrankenkasse – Pflegekasse - Reference for a preliminary ruling – Social security – Regulation (EEC) No 1408/71 – Articles 15, 27 and 28 – Articles 39 EC and 42 EC – Former migrant worker – Work in the Member State of origin and in another Member State – Retirement in the Member State of origin – Pensions paid by both Member States – Separate social security scheme covering the risk of reliance on care – Existence in the other former Member State of employment – Optional continued affiliation to that scheme – Maintenance of the right to a care allowance after the return to the Member State of origin**

[CURIA – Judgment in Case C-388/09 of the Court of Justice of 30 June 2011 - FR](#)

**Case C-262/09: Judgment of the Court (First Chamber) of 30 June 2011 - Wienand Meilicke, Heidi Christa Weyde, Marina Stöffler v Finanzamt Bonn-Innenstadt - Free movement of capital – Income tax – Certificate relating to corporation tax actually paid on dividends of foreign origin – Prevention of double taxation of dividends – Tax credit for dividends paid by resident companies – Proof required as to the foreign tax deductible**

[CURIA – Judgment in Case C-262/09 of the Court of Justice of 30 June 2011 - FR](#)

**Affaire C-224/10 : Conclusions de l'Avocat Général Bot du 30 juin 2011 - Staatsanwaltschaft Baden-Baden contre Leo Apelt - Directive 91/439/CEE – Reconnaissance mutuelle des permis de conduire – Retrait du permis de conduire national et délivrance d'un permis de conduire pour les catégories B et D par un autre État membre – Refus de la reconnaissance par l'État membre de résidence – Nécessité d'avoir un permis de conduire valide pour la catégorie B au moment de la délivrance du permis de conduire pour la catégorie D**

[CURIA – Conclusions de l'Avocat Général C-224/10 de la Cour de Justice du 30 juin 2011 \(FR seulement\)](#)

**Case C-212/08: Judgment of the Court (Eighth Chamber) of 30 June 2011 - Zeturf Ltd v Premier minister - Scheme giving exclusive rights to manage off-course betting on horseracing – Article 49 EC – Restriction on the freedom to provide services – Overriding reasons in the public interest – Objectives of combating gambling addiction and fraudulent and criminal activities and of contributing to rural development – Proportionality** – Restrictive measure to be aimed at reducing opportunities for gambling and limiting gambling activities in a consistent and systematic manner – Operator pursuing a dynamic commercial policy – Measured advertising policy – Assessment of the restriction on marketing by traditional channels and by the internet  
[CURIA – Judgment in Case C-212/08 of the Court of Justice of 30 June 2011 - FR](#)

**Affaire C-303/09 : Arrêt de la Cour (cinquième chambre) du 14 juillet 2011 - Commission européenne contre République italienne - Manquement d'État – Aides d'État** – Aides en faveur des entreprises réalisant des investissements dans les communes frappées par les calamités naturelles de l'année 2002 – Récupération  
[CURIA – Arrêt dans l'affaire C-303/09 de la Cour de Justice du 14 juillet 2011 \(FR seulement\)](#)

**Affaire C-459/10 P : Arrêt de la Cour (sixième chambre) du 21 juillet 2011 - Freistaat Sachsen et Land Sachsen-Anhalt contre Commission européenne - Pourvoi – Aides d'État – Aide en faveur d'un projet de formation concernant certains emplois sur le nouveau centre de DHL à l'aéroport de Leipzig/Halle** – Recours en annulation contre la décision déclarant une partie de l'aide incompatible avec le marché commun – Examen de la nécessité de l'aide – Absence de prise en compte des effets incitatifs de l'aide et de ses externalités positives sur le choix du site  
[CURIA – Arrêt dans l'affaire C-459/10 P de la Cour de Justice du 21 juillet 2011 \(FR seulement\)](#)

**Case C-325/09: Judgment of the Court (Third Chamber) of 21 July 2011 - Secretary of State for Work and Pensions v Maria Dias - Free movement of persons – Directive 2004/38/EC – Article 16 – Right of permanent residence** – Periods completed before the date of transposition of that directive – Legal residence – Residence based solely on a residence permit issued pursuant to Directive 68/360/EEC, without the conditions governing eligibility for any right of residence having been satisfied  
[CURIA – Judgment in Case C-325/09 of the Court of Justice of 21 July 2011 - FR](#)

**Case C-284/10: Judgment of the Court (Seventh Chamber) of 21 July 2011 - Telefónica de España SA v Administración del Estado - Directive 97/13/EC – Common framework for general authorisations and individual licences in the field of telecommunications** – Fees and charges applicable to undertakings holding general authorisations – Article 6 – Interpretation – National legislation imposing an annual fee calculated on the basis of a percentage of gross operating income  
[CURIA – Judgment in Case C-284/10 of the Court of Justice of 21 July 2011 - FR](#)

**Case C-250/08: Opinion of Advocate General Sharpston of 21 July 2011 - European Commission v Kingdom of Belgium - Registration duty payable on the purchase of a principal residence** – Right to move and reside freely – Freedom of establishment – Free movement of capital – Restrictions  
[CURIA – Opinion of Advocate General C-250/08 of the Court of Justice of 21 July 2011 - FR](#)

**Case C-194/09 P: Judgment of the Court (Second Chamber) of 21 July 2011 - Alcoa Trasformazioni Srl v European Commission - Appeal – State aid – Preferential electricity tariff – Finding that there is no aid – Measure amended and extended – Decision to initiate the procedure under Article 88(2) EC** – Existing or new aid – Regulation (EC) No 659/1999 – Article 1(b)(v) – Obligation to state reasons – Principles of legal certainty and the protection of legitimate expectations  
[CURIA – Judgment in Case C-194/09 P of the Court of Justice of 21 July 2011 - FR](#)

## 14. Intellectual Property

### Case Law

**Case C-271/10: Judgment of the Court (Third Chamber) of 30 June 2011 - Vereniging van Educatieve en Wetenschappelijke Auteurs (VEWA) v Belgische Staat - Directive 92/100/EEC – Copyright and related rights – Public lending – Remuneration of authors – Adequate income**

[CURIA – Judgment in Case C-271/10 of the Court of Justice of 30 June 2011 - FR](#)

**Case C-263/09 P: Judgment of the Court (Grand Chamber) of 5 July 2011 - Edwin Co. Ltd v Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) - Appeal – Community trade mark – Regulation (EC) No 40/94 – Article 52(2)(a) – Community word mark ELIO FIORUCCI – Application for a declaration of invalidity based on a right to a name under national law – Review by the Court of Justice of the interpretation and application of national law by the General Court – Power of the General Court to alter the decision of the Board of Appeal – Limits**

[CURIA – Judgment in Case C-263/09 P of the Court of Justice of 05 July 2011 - FR](#)

**Affaire C-140/10 : Conclusions de l'Avocat Général Jääskinen du 7 juillet 2011 – Greenstar-Kanzi Europe NV contre Jean Hustin et Jo Goossens - Régime de protection communautaire des obtentions végétales – Titulaire – Convention de licence – Violation de la convention de licence par le licencié dans ses relations avec les tiers – Action en contrefaçon contre un tiers – Principe d'épuisement**

[CURIA – Conclusions de l'Avocat Général C-140/10 de la Cour de Justice du 07 juillet 2011 \(FR seulement\)](#)

**Case C-324/09: Judgment of the Court (Grand Chamber) of 12 July 2011 - L'Oréal and Others - Trade marks – Internet – Offer for sale, on an online marketplace targeted at consumers in the European Union, of trade-marked goods intended, by the proprietor, for sale in third States – Removal of the packaging of the goods – Directive 89/104/EEC – Regulation (EC) No 40/94 – Liability of the online-marketplace operator – Directive 2000/31/EC ('Directive on electronic commerce') – Injunctions against that operator – Directive 2004/48/EC ('Directive on the enforcement of intellectual property rights')**

[CURIA – Judgment in Case C-324/09 of the Court of Justice of 12 July 2011 - FR](#)

**Case C-46/10: Judgment of the Court (First Chamber) of 14 July 2011 - Viking Gas A/S v Kosan Gas A/S, formerly BP Gas A/S - Trade marks – Directive 89/104/EEC – Articles 5 and 7 – Gas bottles protected as a three-dimensional mark – Placing on the market by an exclusive licensee – Business activity of a competitor of the licensee consisting in the refilling of those bottles**

[CURIA – Judgment in Case C-46/10 of the Court of Justice of 14 July 2011 - FR](#)

**Joined Cases C-4/10 and C-27/10: Judgment of the Court (First Chamber) of 14 July 2011 - proceedings brought by: Bureau national interprofessionnel du Cognac - Regulation (EC) No 110/2008 – Geographical indications of spirit drinks – Temporal application – Trade mark incorporating a geographical indication – Use leading to a situation which may adversely affect the geographical indication – Refusal of registration or invalidation of such a mark – Direct applicability of a regulation**

[CURIA – Judgment in Joined Cases C-4/10 and C-27/10 of the Court of Justice of 14 July 2011 - FR](#)

**Affaire C-518/09 : Arrêt de la Cour (cinquième chambre) du 21 juillet 2011 - Commission européenne contre République portugaise - Manquement d'État – Liberté d'établissement et libre prestation des services – Exercice des activités de transaction immobilière**

[CURIA – Arrêt dans l'affaire C-518/09 de la Cour de Justice du 21 juillet 2011 \(FR seulement\)](#)

## 15. Justice, Freedom and Security (incl. Judicial Cooperation)

### International Agreements

**COUNCIL DECISION** of 9 June 2011 on the **approval, on behalf of the European Union, of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance** (2011/432/EU)

[OJ of the EU, L 192/39 of 22 July 2011 - FR](#)

### Community Legislation

**COUNCIL IMPLEMENTING REGULATION** (EU) No 687/2011 of 18 July 2011 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific **restrictive measures** directed against **certain persons and entities** with a **view to combating terrorism**, and repealing Implementing Regulations (EU) No 610/2010 and (EU) No 83/2011

[OJ of the EU, L 188/2 of 19 July 2011 - FR](#)

**COMMISSION IMPLEMENTING DECISION** of 1 July 2011 amending the **SIRENE Manual** (*notified under document C(2011) 4574*)

[OJ of the EU, L 186/16 of 15 July 2011 - FR](#)

**COUNCIL DECISION** 2011/411/CFSP of 12 July 2011 defining the **statute, seat and operational rules** of the **European Defence Agency** and repealing Joint Action 2004/551/CFSP

[OJ of the EU, L 183/16 of 13 July 2011 - FR](#)

**NOTICES FROM MEMBER STATES** Update of the **list of residence permits referred** to in Article 2(15) of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community **Code on the rules governing the movement of persons across borders** (Schengen Borders Code) (2011/C 201/01)

[OJ of the EU, C 201/1 of 8 July 2011 - FR](#)

## 16. Transport

### International Agreements

**DECISION** No 1/2011 OF THE JOINT COMMUNITY/SWITZERLAND AIR TRANSPORT COMMITTEE SET UP UNDER THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION ON AIR TRANSPORT of 4 July 2011 replacing the Annex to the **Agreement between the European Community and the Swiss Confederation on Air Transport** (2011/419/EU)

[OJ of the EU, L 186/32 of July 2011 - FR](#)

### Case Law

### Preparatory Acts, Reports, Calls, Memos, Common Positions

**Proposal** for a **REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL** amending Council Regulation (EEC) No 3821/85 on **recording equipment in road transport** and amending Regulation (EC) No 561/2006 of the European Parliament and the Council (Text with EEA relevance)

[COM\(2011\) 451 final of 19 July 2011 - FR](#)

**COMMUNICATION** FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS **Digital Tachograph: Roadmap for future activities**

[COM\(2011\) 454 final of 19 July 2011 - FR](#)

## 17. Community Institutions and Principles

### Case Law

**Case C-545/09: Opinion of the Advocate General Mengozzi of 7 July 2011 - European Commission v United Kingdom of Great Britain and Northern Ireland - Promotion and retirement rights of teachers seconded or assigned by a Member State to the European Schools** – Freezing of remuneration during secondment or assignment – Interpretation and application of Articles 12(4)(a) and 25(1) of the Convention defining the Statute of the European Schools – Arbitration clause

[CURIA – Judgment in Case C-545/09 of the Court of Justice of 07 July 2011 - FR](#)

**Case C-506/08 P: Judgment of the Court (First Chamber) of 21 July 2011 - Kingdom of Sweden/MyTravel Group plc and Commission - Appeal – Access to documents of the institutions – Regulation (EC) No 1049/2001 – Article 4(2), second indent, and Article 4(3), second subparagraph – Exceptions to the right of access concerning the protection of court proceedings and legal advice and the decision-making process** – Control of concentrations – Commission documents drawn up in the context of a procedure which led to a decision declaring a concentration operation incompatible with the common market – Documents drafted following the annulment of that decision by the General Court

[CURIA – Judgment in Case C-506/08 P of the Court of Justice of 21 July 2011 - FR](#)

**Case C-252/10 P: Judgment of the Court (Seventh Chamber) of 21 July 2011 - Evropaïki Dynamiki – Proigmena Systimata Tilepikoinonion Pliroforikis kai Tilematikis AE v European Maritime Safety Agency (EMSA) - Appeal – Public procurement – European Maritime Safety Agency (EMSA) – Call for tenders relating to the 'SafeSeaNet' application** – Decision rejecting a tenderer's bid – Contract award criteria – Sub-criteria – Obligation to state reasons

[CURIA – Judgment in Case C-252/10 P of the Court of Justice of 21 July 2011 - FR](#)