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# EU News: Click & Read

205 – April 2026

European Documentation Centre

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This 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, legal professionals, as well as corporations with information about the latest legal developments in the European Union. Written in English or French, the newsletter offers links to documents in one of those languages.

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

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## Highlights

**Case C-133/24. Judgment of the Court (Fifth Chamber) of 30 April 2026. CD Tondela – Futebol, SAD and Others v Autoridade da Concorrência.**

Reference for a preliminary ruling – Competition – Professional football – **No-poach-of-players agreement, concluded by a national sports association and a group of clubs following the suspension of the 2019/2020 sporting season due to the COVID-19 pandemic** – Article 101(1) TFEU – **Restriction of competition by object or by effect** – Labour market – Recruitment of players by clubs – Unilateral termination of employment contract by players – Expiration of employment contract – Content of the agreement – Economic and legal context surrounding the agreement – Competition-related objective aims of the agreement – Whether justified – Conditions – Pursuit of legitimate objectives in the public interest – Necessity – Justification.

[EUR-Lex - 62024CJ0133](#)

**Case C-769/22. Judgment of the Court (Full Court) of 21 April 2026. European Commission v Hungary.**

Failure of a Member State to fulfil obligations – Article 258 TFEU – **National legislation introducing restrictions in relation to deviation from the self-identity corresponding to the sex assigned at birth, gender reassignment, or homosexuality, with a view to protecting children** – Directives 2000/31/EC, 2006/123/EC, 2010/13/EU – Regulation (EU) 2016/679 – Restrictions on sex education – Principle of non-discrimination – **Values of the European Union as enshrined in Article 2 TEU** – Reliance on a breach of those values in an action for failure to fulfil obligations – Articles 1, 7, 11 and 21 of the Charter of Fundamental Rights of the European Union.

[EUR-Lex - 62022CJ0769](#)

**Case C-672/23. Judgment of the Court (First Chamber) of 16 April 2026. Electricity & Water Authority of the Government of Bahrain and Others v Prysmian Netherlands BV and Others. Request for a preliminary ruling from the Gerechtshof Amsterdam.**

Reference for a preliminary ruling – Judicial cooperation in civil and commercial matters – Jurisdiction, recognition and enforcement of judgments in civil and commercial matters – **Regulation (EU) No 1215/2012 – Special jurisdiction** – Article 8(1) – **Multiple defendants – Claims so closely connected that there is an interest in hearing and determining them together** – Concept of 'so closely connected' – Concept of 'anchor defendant' – Infringement of Article 101 TFEU – Directive 2014/104/EU – **Compensation for damage caused by a cartel** – Concept of an undertaking – Liability of the parent company and a subsidiary – Decision of a national competition authority – Damage occurring outside the European Economic Area (EEA).

[EUR-Lex - 62023CJ0672](#)

## 1. EU-Swiss Relations

### Community Legislation

**Agreement between the European Union and the Swiss Confederation on the terms and conditions for the participation of the Swiss Confederation in the European Union Agency for the Space Programme**

[EUR-Lex - 22026A00791](#)

## 2. External Relations / Foreign Policy

### Community Legislation

**Council Regulation (EU) 2026/506 of 23 April 2026 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

[Regulation - EU - 2026/506](#)

### Case Law

**Case C-528/24. Judgment of the Court (Third Chamber) of 23 April 2026. LQ and Others v Minister for Justice and Equality.**

Reference for a preliminary ruling – Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part – **Surrender of a person to the United Kingdom for the purpose of criminal prosecutions** – Article 524(2) – Article 604(c) – **Real risk to the protection of fundamental rights** – Article 625 – Speciality rule – Article 47 of the Charter of Fundamental Rights of the European Union – **Right to an effective remedy.**

[EUR-Lex - 62024CJ0528](#)

## 3. Agriculture and Fisheries / Maritime Affairs

### Case Law

**Case C-811/24. Judgment of the Court (Ninth Chamber) of 23 April 2026. Pescheria Il Granchio Blu di JC v Ministero delle Imprese e del Made in Italy.**

Reference for a preliminary ruling – De minimis aid – Regulation (EU) No 1407/2013 – Regulation (EU) No 1408/2013 – Regulation (EU) No 717/2014 – Respective scopes – Regulation (EU) No 1379/2013 – **Fishery and aquaculture sector** – Common organisation of the markets – Undertakings operating in the production, processing and marketing of fishery products – Retail trade – **National legislation providing for de minimis aid for undertakings located in zones affected by earthquakes.**

[EUR-Lex - 62024CJ0811](#)

## 4. Audiovisual and Media and Information Society

Nothing to report for the period under review.

## 5. Competition and State Aid

### Case Law

**Case C-672/23. Judgment of the Court (First Chamber) of 16 April 2026. Electricity & Water Authority of the Government of Bahrain and Others v Prysmian Netherlands BV and Others. Request for a preliminary ruling from the Gerechtshof Amsterdam.**

Reference for a preliminary ruling – Judicial cooperation in civil and commercial matters – Jurisdiction, recognition and enforcement of judgments in civil and commercial matters – Regulation (EU) No 1215/2012 – Special jurisdiction – Article 8(1) – Multiple defendants – **Claims so closely connected that there is an interest in hearing and determining them together** – Concept of ‘so closely connected’ – Concept of ‘anchor defendant’ – **Infringement of Article 101 TFEU** – Directive 2014/104/EU – **Compensation for damage caused by a cartel** – Concept of an undertaking – Liability of the parent company and a subsidiary – Commission decision – Decision of a national competition authority – Damage occurring outside the European Economic Area (EEA).

[EUR-Lex - 62023CJ0672](#)

**Case C-191/25. Judgment of the Court (Third Chamber) of 30 April 2026. Wenzel Logistics GmbH v Mercedes-Benz Group AG.**

Reference for a preliminary ruling – Competition – Article 101 TFEU – Agreements, decisions and concerted practices – Directive 2014/104/EU – Article 3(2) – **Right to full compensation for harm caused by a cartel** – Payment of interest – Article 22(2) – Temporal application of national transposition provisions – Determination of the date from which interest is due – **Time when the harm occurred in the case of the acquisition of goods at inflated prices.**

[EUR-Lex - 62025CJ0191](#)

**Case C-133/24. Judgment of the Court (Fifth Chamber) of 30 April 2026. CD Tondela – Futebol, SAD and Others v Autoridade da Concorrência.**

Reference for a preliminary ruling – Competition – Professional football – **No-poach-of-players agreement, concluded by a national sports association and a group of clubs following the suspension of the 2019/2020 sporting season due to the COVID-19 pandemic** – Article 101(1) TFEU – **Restriction of competition by object or by effect** – Labour market – Recruitment of players by clubs – Unilateral termination of employment contract by players – Expiration of employment contract – Content of the agreement – Economic and legal context surrounding the agreement – Competition-related objective aims of the agreement – Whether justified – Conditions – Pursuit of legitimate objectives in the public interest – Necessity – Justification.

[EUR-Lex - 62024CJ0133](#)

## 6. Customs

### Case Law

**Case C-115/25. Judgment of the Court (Seventh Chamber) of 30 April 2026. Stappert Magyarország Kft. v Nemzeti Adó- és Vámhivatal Fellebbviteli Igazgatósága.**

Reference for a preliminary ruling – Common commercial policy – Anti-dumping duties – **Imposition of definitive safeguard measures in respect of imports of certain steel products** – Import of stainless steel products originating in Taiwan – Two valid order numbers – **Exhaustion of one of two tariff-rate quotas** – Cumulative imposition of anti-dumping duties and additional duties.

[EUR-Lex - 62025CJ0115](#)

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

### Case Law

**Case C-229/24. Judgment of the Court (Fourth Chamber) of 16 April 2026. TK and OP v Riksåklagaren. Request for a preliminary ruling from the Högsta domstolen.**

Reference for a preliminary ruling – Approximation of laws – **Single market for financial services** – Regulation (EU) No 596/2014 – Market abuse – Insider dealing – Article 7(1)(a) – **Concept of ‘inside information’** – Criteria – Public information – Article 17 – Public disclosure of inside information by an issuer – **Decision of a contracting authority not to award a public contract to a tenderer** – Early sale of shares of that tenderer – Implementing Regulation (EU) 2016/1055 – Article 2 – Means for public disclosure of inside information.

[EUR-Lex - 62024CJ0229](#)

**Case C-549/23. Judgment of the Court (Second Chamber) of 16 April 2026. American Express Europe SA and Others v International Card Services BV. Request for a preliminary ruling from the College van Beroep voor het bedrijfsleven.**

Reference for a preliminary ruling – **Payment services in the internal market** – Regulation (EU) 2015/751 – Article 2(10) – **Interchange fees for card-based payment transactions** – Article 2(11) – Net compensation – Article 4 – Cap on the amount of those fees – Article 5 – Prohibition of circumvention – **Remuneration received by a co-branding partner from a three party payment card scheme** – Application of that cap to that remuneration – Deduction of the value of the services provided by the co-branding partner.

[EUR-Lex - 62023CJ0549](#)

**Case C-544/24. Judgment of the Court (First Chamber) of 30 April 2026. „Nekilnojamojo turto valdymas“ BUAB v Valstybinė mokesčių inspekcija prie Lietuvos Respublikos finansų ministerijos.**

Reference for a preliminary ruling – Common system of value added tax (VAT) – Directive 2006/112/EC – Article 273 – Article 49(3) of the Charter of Fundamental Rights of the European Union – **Obligations deemed necessary to ensure the correct collection of VAT and to prevent fraud** – **National legislation providing for a set of rules in respect of default interest relating to VAT arrears** – Charging of default interest – Principle of proportionality.

[EUR-Lex - 62024CJ0544](#)

## 8. Education, Training, Youth, Culture, Research and Innovation

Nothing to report for the period under review.

## 9. Employment and Social Affairs

### Case Law

**Affaire C-642/24. Arrêt de la Cour (sixième chambre) du 16 avril 2026. Commission européenne contre République fédérale d'Allemagne.**

Manquement d'État – Coordination des systèmes de sécurité sociale – Règlement (CE) no 883/2004 – Articles 4, 7 et 67 – Libre circulation des travailleurs – Règlement (UE) no 492/2011 – Article 7 – Égalité de traitement – Avantages sociaux et fiscaux – **Prestations familiales** – **Adaptation des montants en fonction du coût de la vie dans l'État membre de résidence des enfants.**

[EUR-Lex - 62024CJ0642](#)

**Case C-418/24. Judgment of the Court (Grand Chamber) of 14 April 2026. TJ v Comunidad de Madrid. Request for a preliminary ruling from the Tribunal Supremo.**

Reference for a preliminary ruling – Social policy – Directive 1999/70/EC – Framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP – Fixed-term employment contracts in the public sector – Clause 5 – **Measures to prevent and penalise the abuse of successive fixed-term employment contracts or relationships** – Conversion of successive fixed-term contracts into a contract of indefinite duration – National legislation not permitting such conversion, but laying down other measures to prevent and penalise such abuse – **Effective, dissuasive and proportionate penalty measures.**

[EUR-Lex - 62024CJ0418](#)

**Case C-116/25. Judgment of the Court (Sixth Chamber) of 23 April 2026. Ts. E. S. v Direktor na Teritorialno podelenie na Natsionalnia osiguritelen institut - Blagoevgrad.**

Reference for a preliminary ruling – Social security – Migrant workers – Regulation (EC) No 883/2004 – Unemployment benefits – Calculation – Article 62(1) and (2) – Last activity as an employed or self-employed person pursued under the legislation of a Member State – Article 62(3) – **Residence of the recipient of unemployment benefits in a Member State other than the ‘competent Member State’** – **Calculation rule which does not take into account ‘exclusively’ the salary or professional income received by the person concerned in respect of his or her last activity as an employed or self-employed person** – National legislation providing for a different calculation rule for persons who carried out their last employment in another Member State.

[EUR-Lex - 62025CJ0116](#)

**Case C-204/25. Judgment of the Court (Seventh Chamber) of 23 April 2026. Kempen Advies Beerse BV and Others v Bank Nagelmackers NV.**

Reference for a preliminary ruling – Directive 86/653/EEC – Article 15(2) – Article 19 – **Self-employed commercial agents** – **Notice period** – Date of expiry of the commercial agency contract.

[EUR-Lex - 62025CJ0204](#)

## 10. Energy and Environment

### Case Law

**Case C-58/24. Judgment of the Court (Fifth Chamber) of 16 April 2026. NE and Others v An Coimisiún Pleanála, anciennement An Bord Pleanála and Others. Request for a preliminary ruling from the High Court (Irlande).**

Reference for a preliminary ruling – Environment – Directive 92/43/EEC – Conservation of natural habitats and of wild fauna and flora – Article 12 – **System of strict protection for certain animal species** – Article 16 – Decision to grant a derogation in anticipation of a planning permission application for a project covered by Directive 2011/92/EU – Article 11 – **Aarhus Convention** – Article 9 – Procedural autonomy – Principles of equivalence and effectiveness – **Derogation decision classified as an autonomous legal act** – Procedural rules providing for a three-month period for seeking the annulment of a derogation licence.

[EUR-Lex - 62024CJ0058](#)

**Case C-519/24. Judgment of the Court (Second Chamber) of 16 April 2026. Nitrogénművek Vegyipari Zrt. v Nemzeti Adó- és Vámhivatal Fellebbviteli Igazgatósága. Request for a preliminary ruling from the Veszprémi Törvényszék.**

Reference for a preliminary ruling – Environment – Air pollution – **System for greenhouse gas emission allowance trading** – Directive 2003/87/EC – Transitional rules for harmonised free allocation – Article 10a – **National legislation imposing a tax on carbon dioxide (CO<sub>2</sub>) emissions on operators receiving a significant quantity of allowances allocated free of charge.**

[EUR-Lex - 62024CJ0519](#)

## 11. Food Safety, Public Health and Consumers

### Case Law

**Case C-901/24. Judgment of the Court (Ninth Chamber) of 16 April 2026. mBank S.A. v TK and DJ et JJ. Request for a preliminary ruling from the Sąd Okręgowy w Warszawie.**

Reference for a preliminary ruling – Consumer protection – Directive 93/13/EEC – Article 7(1) – **Unfair terms in consumer contracts** – **Effects of a term being found to be unfair** – Invalidation of the contract – Actions for restitution – Limitation period for the action brought by the seller or supplier – Interruption of the limitation period – Acknowledgement by a consumer of his or her debt owed to a credit institution – Principle of effectiveness – Principle of legal certainty – Principle of proportionality – Right of access to a court – Unjust enrichment.

[EUR-Lex - 62024CJ0901](#)

**Case C-752/24. Judgment of the Court (Ninth Chamber) of 16 April 2026. mBank S.A. v KŁ and JŁ. Request for a preliminary ruling from the Sąd Okręgowy w Warszawie.**

Reference for a preliminary ruling – Consumer protection – Directive 93/13/EEC – **Unfair terms in consumer contracts** – Effects of a term being found to be unfair – **Invalidity of the loan agreement** – Actions for restitution – Limitation period for the action brought by the seller or supplier – Interruption of the limitation period – Principle of effectiveness – Principle of legal certainty – Principle of proportionality – Right of access to a court – Unjust enrichment.

[EUR-Lex - 62024CJ0752](#)

**Case C-753/24. Judgment of the Court (Ninth Chamber) of 16 April 2026. Powszechna Kasa Oszczędności Bank Polski S.A. v MS et MS. Request for a preliminary ruling from the Sąd Okręgowy w Warszawie.**

Reference for a preliminary ruling – Consumer protection – Directive 93/13/EEC – Article 7(1) – Unfair terms in consumer contracts – **Effects of a term being found to be unfair** – **Invalidity of the loan agreement** – Actions for restitution – Limitation period for the action brought by the seller or supplier – **Circumstances that may justify disregarding the expiry of the limitation period** – Principle of effectiveness – Principle of legal certainty – Principle of proportionality – Right of access to a court – Unjust enrichment.

[EUR-Lex - 62024CJ0753](#)

**Case C-301/25. Judgment of the Court (First Chamber) of 30 April 2026. Lidl Italia Srl v Autorità Garante della Concorrenza e del Mercato (AGCM).**

Reference for a preliminary ruling – Consumer protection – **Unfair business-to-consumer commercial practices** – Directive 2005/29/EC – Scope – Relationship between the provisions of that directive and other EU rules regulating specific aspects of unfair commercial practices – Article 3(4) – **Unfair food information practices** – Regulation (EU) No 1169/2011 – Whether there is a conflict – **Complementary nature of systems of protection.**

[EUR-Lex - 62025CJ0301](#)

**Case C-246/25. Judgment of the Court (Sixth Chamber) of 30 April 2026. AS v BNP Paribas Bank Polska S.A.**

Reference for a preliminary ruling – Unfair terms in consumer contracts – Directive 93/13/EEC – Effects of a finding that a term is unfair – **Addendum to a mortgage loan agreement** – **Consequences of the nullity of that addendum on the validity of that contract** – Principles of effectiveness and proportionality – Deterrent effect – Conditions for the continued existence of the contract – Obligations of the national court.

[EUR-Lex - 62025CJ0246](#)

**Case C-744/24. Judgment of the Court (Seventh Chamber) of 23 April 2026. P.W. v Bank Polska Kasa Opieki S.A.**  
Reference for a preliminary ruling – **Credit agreements for consumers** – Directive 2008/48/EC – Article 3(j) – Article 10(2)(f) – The concept of ‘borrowing rate’ – The concept of ‘amount of credit drawn down’ – Article 3(g) – **The concept of ‘total cost of the credit to the consumer’** – Charging interest on an amount corresponding to the cost of the credit – Insurance premium.

[EUR-Lex - 62024CJ0744](#)

**Case C-761/24. Judgment of the Court (Eighth Chamber) of 23 April 2026. HM and JD v AXA Bank Belgium SA and Others.**

Reference for a preliminary ruling – Consumer protection – Unfair terms in consumer contracts concluded between a seller or supplier and a consumer – Directive 93/13/EEC – Article 2(c) – Concept of ‘seller or supplier’ – Article 6(1) – Effects of the finding that such a term is unfair – Invalidity of the contract – Article 7(1) – Deterrent effect of the prohibition on unfair terms – **Loan agreement denominated in foreign currency** – Contractual term placing the exchange rate risk on the consumer – **Transfer of a contract among sellers or suppliers under national law** – **Seller or supplier against whom the consumer may assert the legal consequences of the invalidity of an unfair term in the transferred contract.**

[EUR-Lex - 62024CJ0761](#)

**Case C-118/24. Judgment of the Court (Second Chamber) of 23 April 2026. EG Labo Laboratoires Eurogenerics SAS and Theramex France SAS v Agence nationale de sécurité du médicament et des produits de santé (ANSM) and Biogaran SAS.**

Reference for a preliminary ruling – Directive 2001/83/EC – Medicinal products for human use – Articles 28 and 29 – **Decentralised procedure for marketing authorisation for a medicinal product** – Article 10 – Generic medicinal product – Abridged procedure for granting a marketing authorisation – Biological medicinal product serving as reference medicinal product for a chemical medicinal product – **Jurisdiction of the courts of the Member States concerned to determine whether there is a potential serious risk for public health** – Jurisdiction of those courts to review the conditions for granting a marketing authorisation for a generic medicinal product.

[EUR-Lex - 62024CJ0118](#)

## 12. Human Rights

### Case Law

**Case C-769/22. Judgment of the Court (Full Court) of 21 April 2026. European Commission v Hungary.**

Failure of a Member State to fulfil obligations – Article 258 TFEU – **National legislation introducing restrictions in relation to deviation from the self-identity corresponding to the sex assigned at birth, gender reassignment, or homosexuality, with a view to protecting children** – Directives 2000/31/EC, 2006/123/EC, 2010/13/EU – Regulation (EU) 2016/679 – Restrictions on sex education – Principle of non-discrimination – **Values of the European Union as enshrined in Article 2 TEU** – Reliance on a breach of those values in an action for failure to fulfil obligations – Articles 1, 7, 11 and 21 of the Charter of Fundamental Rights of the European Union – Protection of personal data.

[EUR-Lex - 62022CJ0769](#)

**Case C-590/23. Judgment of the Court (Grand Chamber) of 14 April 2026. CG and YN v Pelham GmbH and Others.**

Reference for a preliminary ruling – **Copyright and related rights** – Directive 2001/29/EC – Information society – Harmonisation of certain aspects of copyright and related rights – Article 2 – Reproduction right – Article 5 – Exceptions and limitations – Article 5(3)(k) – **Concept of ‘pastiche’** – Use ‘for the purpose of’ pastiche – **Reproduction of parts of a phonogram (sampling)** – Fundamental rights – Charter of Fundamental Rights of the European Union – Article 11 – **Freedom of expression** – Article 13 – **Freedom of the arts** – Article 17 – Right to property.

[EUR-Lex - 62023CJ0590](#)

## 13. Internal Market and Free Movement

### Case Law

**Case C-229/24. Judgment of the Court (Fourth Chamber) of 16 April 2026. TK and OP v Riksåklagaren. Request for a preliminary ruling from the Högsta domstolen.**

Reference for a preliminary ruling – Approximation of laws – **Single market for financial services** – Regulation (EU) No 596/2014 – Market abuse – Insider dealing – Article 7(1)(a) – **Concept of ‘inside information’** – Criteria – Public information – Article 17 – Public disclosure of inside information by an issuer – **Decision of a contracting authority not to award a public contract to a tenderer** – Early sale of shares of that tenderer – Implementing Regulation (EU) 2016/1055 – Article 2 – Means for public disclosure of inside information.

[EUR-Lex - 62024CJ0229](#)

**Case C-549/23. Judgment of the Court (Second Chamber) of 16 April 2026. American Express Europe SA and Others v International Card Services BV. Request for a preliminary ruling from the College van Beroep voor het bedrijfsleven.**

Reference for a preliminary ruling – **Payment services in the internal market** – Regulation (EU) 2015/751 – Article 2(10) – **Interchange fees for card-based payment transactions** – Article 2(11) – Net compensation – Article 4 – Cap on the amount of those fees – Article 5 – Prohibition of circumvention – **Remuneration received by a co-branding partner from a three party payment card scheme** – Application of that cap to that remuneration – Deduction of the value of the services provided by the co-branding partner.

[EUR-Lex - 62023CJ0549](#)

**Case C-440/23. Judgment of the Court (Fifth Chamber) of 16 April 2026. FB v European Lotto and Betting Ltd and Deutsche Lotto-und Sportwetten Ltd. Request for a preliminary ruling from the Prim'Awla tal-Qorti Ċivili.**

Reference for a preliminary ruling – Article 56 TFEU – **Freedom to provide services** – **Holder of a licence issued by a Member State authorising the organisation of online games of chance** – **Legislation of another Member State making the organisation of online games of chance subject to authorisation** – Overriding reasons in the public interest – Online slot machines – Secondary lotteries – Recovery of lost stakes – Abuse of law.

[EUR-Lex - 62023CJ0440](#)

**Affaire C-642/24. Arrêt de la Cour (sixième chambre) du 16 avril 2026. Commission européenne contre République fédérale d'Allemagne.**

Manquement d'État – Coordination des systèmes de sécurité sociale – Règlement (CE) no 883/2004 – Articles 4, 7 et 67 – **Libre circulation des travailleurs** – Règlement (UE) no 492/2011 – Article 7 – Égalité de traitement – Avantages sociaux et fiscaux – **Prestations familiales** – **Adaptation des montants en fonction du coût de la vie dans l'État membre de résidence des enfants.**

[EUR-Lex - 62024CJ0642](#)

**Case C-155/24. Judgment of the Court (Grand Chamber) of 21 April 2026. Nederlandse Voedsel- en Warenautoriteit and Others v Stichting Rookpreventie Jeugd.**

Reference for a preliminary ruling – Approximation of laws – Manufacture, presentation and sale of tobacco products and related products – Directive 2014/40/EU – Article 3(1) – **Maximum emission levels for tar, nicotine and carbon monoxide** – Article 4(1) – **Measurement methods** – Measurement of emission levels on the basis of the ISO standards referred to in Article 4(1) – Standards not published in the Official Journal of the European Union – Enforceability of those ISO standards – Article 2 TEU – Value of the rule of law – Requirement of free access to such standards.

[EUR-Lex - 62024CJ0155](#)

**Case C-568/24. Judgment of the Court (Seventh Chamber) of 16 April 2026. Sof Medica S.A. v Spitalul Clinic Județean de Urgență Cluj-Napoca.**

Reference for a preliminary ruling – **Public procurement** – Directive 2014/24/EU – Article 18 – Principles of procurement – **Equal treatment and transparency** – Article 42 – Technical specifications – Discretion of the contracting authority – Definition of need – **Reference to a type or to a specific production** – Situations in which such a reference must be accompanied by the words ‘or equivalent’.

[EUR-Lex - 62024CJ0568](#)

## 14. Intellectual Property

### Case Law

**Case C-496/24. Judgment of the Court (Second Chamber) of 16 April 2026. Stichting Onderhandeligen Thuiskopie vergoeding and Stichting de Thuiskopie v HP Nederland BV and Others. Request for a preliminary ruling from the Hoge Raad der Nederlanden.**

Reference for a preliminary ruling – Approximation of laws – Intellectual property – Copyright and related rights – Directive 2001/29/EC – Article 2 – Reproduction right – Article 3(1) – **Right of communication to the public of works** – Art. 5(2)(b) – **‘Private copying’ exception** – **Fair compensation** – Paid streaming service – Offline streaming copy – Article 5(5).

[EUR-Lex - 62024CJ0496](#)

**Case C-590/23. Judgment of the Court (Grand Chamber) of 14 April 2026. CG and YN v Pelham GmbH and Others.**

Reference for a preliminary ruling – **Copyright and related rights** – Directive 2001/29/EC – Information society – Harmonisation of certain aspects of copyright and related rights – Article 2 – Reproduction right – Article 5 – Exceptions and limitations – Article 5(3)(k) – **Concept of ‘pastiche’** – Use ‘for the purpose of’ pastiche – **Reproduction of parts of a phonogram (sampling)** – Fundamental rights – Charter of Fundamental Rights of the European Union – Article 11 – **Freedom of expression** – Article 13 – **Freedom of the arts** – Article 17 – Right to property.

[EUR-Lex - 62023CJ0590](#)

**Case C-127/24. Judgment of the Court (First Chamber) of 30 April 2026. Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte eV (GEMA) v VHC 2 Seniorenresidenz und Pflegeheim gGmbH.**

Reference for a preliminary ruling – Intellectual property – Copyright and related rights – Directive 2001/29/EC – Article 3(1) – **Communication to the public** – Concept – **Retransmission of a signal via a cable network of a retirement home** – Specific technical means – New public.

[EUR-Lex - 62024CJ0127](#)

**Case C-132/25. Judgment of the Court (Eighth Chamber) of 23 April 2026. M.M. Ristorazione Srl v Villa Ramazzini Srl.**

Reference for a preliminary ruling – Intellectual property – Directive 2004/48/EC – **Enforcement of intellectual property rights** – Article 9(5) – Provisional measures – Failure to institute proceedings leading to a decision on the merits of the case – **National legislation providing for the continuation of the effects of provisional measures intended to anticipate the effects of a decision on the merits of the case.**

[EUR-Lex - 62025CJ0132](#)

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

### Case Law

**Case C-672/23. Judgment of the Court (First Chamber) of 16 April 2026. Electricity & Water Authority of the Government of Bahrain and Others v Prysmian Netherlands BV and Others. Request for a preliminary ruling from the Gerechtshof Amsterdam.**

Reference for a preliminary ruling – Judicial cooperation in civil and commercial matters – Jurisdiction, recognition and enforcement of judgments in civil and commercial matters – **Regulation (EU) No 1215/2012 – Special jurisdiction** – Article 8(1) – Multiple defendants – **Claims so closely connected that there is an interest in hearing and determining them together** – Concept of ‘so closely connected’ – Concept of ‘anchor defendant’ – Infringement of Article 101 TFEU – Directive 2014/104/EU – **Compensation for damage caused by a cartel** – Concept of an undertaking – Liability of the parent company and a subsidiary – Commission decision – Decision of a national competition authority – Damage occurring outside the European Economic Area (EEA).

[EUR-Lex - 62023CJ0672](#)

**Joined Cases C-50/24 to C-55/24. Judgment of the Court (Fifth Chamber) of 16 April 2026. X and Others v Commissaire général aux réfugiés et aux apatrides. Requests for a preliminary ruling from the Conseil du Contentieux des Étrangers.**

References for a preliminary ruling – Border controls, asylum and immigration – Directive 2013/32/EU – **Common procedures for granting and withdrawing international protection** – Application for international protection – Article 43 – Border procedure – **Classification of a procedure conducted in a place of detention located geographically in the territory of a Member State, but treated by national law as a place at the border** – Right to enter the territory of that Member State after a period of four weeks – Article 31(7) – Priority examination of an application for international protection – Directive 2013/33/EU – Standards for the reception of applicants for international protection – Article 8 – Detention in the same place on the basis of two different decisions.

[EUR-Lex - 62024CJ0050](#)

**Case C-446/24. Judgment of the Court (Fifth Chamber) of 23 April 2026. Freie Hansestadt Bremen v DT.**

Reference for a preliminary ruling – Area of freedom, security and justice – Directive 2008/115/EC – **Return of illegally staying third-country nationals** – Article 11(2) – Entry ban – Duration – **National legislation which requires, in principle, an indefinite ban on entry and stay in certain cases** – Terrorist threat.

[EUR-Lex - 62024CJ0446](#)

## 16. Transport

Nothing to report for the period under review.

## 17. Community Institutions, Principles and the Communities' own Resources

### Case Law

#### **Case C-769/22. Judgment of the Court (Full Court) of 21 April 2026. European Commission v Hungary.**

Failure of a Member State to fulfil obligations – Article 258 TFEU – **National legislation introducing restrictions in relation to deviation from the self-identity corresponding to the sex assigned at birth, gender reassignment, or homosexuality, with a view to protecting children** – Directives 2000/31/EC, 2006/123/EC, 2010/13/EU – Regulation (EU) 2016/679 – Restrictions on sex education – Principle of non-discrimination – **Values of the European Union as enshrined in Article 2 TEU** – Reliance on a breach of those values in an action for failure to fulfil obligations – Articles 1, 7, 11 and 21 of the Charter of Fundamental Rights of the European Union – Protection of personal data.

[EUR-Lex - 62022CJ0769](#)