



OBH



# DOCUMENTATION



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**CROSS-BORDER CIVIL LITIGATION**  
**THE BRUSSELS Ia REGULATION**  
**Budapest, 19-20 May 2016**

**Background Documentation**



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**I. Legislation**

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|      | <b>Treaty on the Functioning of the European Union (TFEU)</b>  |
| 1.01 | Art. 81 TFEU, in: OJ C 83/78 of 30 March 2010  |
|      | <b>Secondary legislation</b>   |
| 1.02 | Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters ("Brussels I"), OJ L 16/1 of 16 January 2001   |
| 1.03 | Commission Regulation (EU) No 156/2012 of 22 February 2012 amending Annexes I to IV to Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, OJ L 50/3 of 23 February 2012          |
| 1.04 | Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, OJ L 351/1 of 20 December 2012                                    |
| 1.05 | Regulation (EU) No 542/2014 of the European Parliament and of the Council of 15 May 2014 amending Regulation (EU) No 1215/2012 as regards the rules to be applied with respect to the Unified Patent Court and the Benelux Court of Justice, OJ L 163, 29 May 2014 |

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| 1.06 | Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters CONSOLIDATED VERSION of 26 February 2015                         |
| 1.07 | Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims, OJ L 143/15 of 30 April 2004  |
| 1.08 | Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure, OJ L 399/1 of 30 December 2006   |
| 1.09 | Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure, OJ L 199/1 of 31 July 2007   |
| 1.10 | Regulation (EU) 2015/2421 of the European Parliament and of the Council of 16 December 2015 amending Regulation (EC) No 861/2007 establishing a European Small Claims Procedure and Regulation (EC) No 1896/2006 creating a European order for payment procedure |
| 1.11 | Regulation 1393/2007 of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil and commercial matters (service of documents)  |
| 1.12 | Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (taking of evidence)   |

## II. CJEU case law

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|      | <b>Brussels I</b>   |
| 2.01 | Judgment of the Court of 7 March 1995<br>In Case C-68/93: Shevill, OJ C 87/3 of 8 April 1995                                |
| 2.02 | Judgment of the Court (Fifth Chamber) of 9 November 2000<br>In Case C-387/98: Coreck Maritime, OJ C 28/4 of 27 January 2001 |

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| 2.03 | Judgment of the Court (Grand Chamber) of 1 March 2005<br>In Case C- 281/02: Owusu, OJ C 106/2 of 30 April 2005                                   |
| 2.04 | Judgment of the Court (First Chamber) of 18 May 2006<br>In Case C-343/04: ČEZ, OJ C 165/5 of 15 July 2006  |
| 2.05 | Judgment of the Court (Fourth Chamber) of 3 May 2007<br>In Case C-386/05: Color Drack, OJ C 140/4 of 23 June 2007                                |
| 2.06 | Judgment of the Court (Second Chamber) of 13 December 2007<br>In Case C-463/06: FBTO Schadeverzekering, OJ C 51/23 of 23 February 2008           |
| 2.07 | Judgment of the Court (First Chamber) of 2 October 2008<br>In Case C-372/07: Hassett and Doherty, OJ C 301/10 of 22 November 2008                |
| 2.08 | Judgment of the Court (Grand Chamber) of 10 February 2009<br>In Case C-185/07: Allianz v. West Tankers, OJ C 82/4 of 4 April 2009                |
| 2.09 | Judgment of the Court (First Chamber) of 14 May 2009<br>In Case C-180/06: Ilsinger, OJ C 153/3 of 4 July 2009                                    |
| 2.10 | Judgment of the Court (Fourth Chamber) of 9 July 2009<br>In Case C-204/08: Rehder, OJ C 205/8 of 29 August 2009                                  |
| 2.11 | Judgment of the Court (First Chamber) of 16 July 2009<br>In Case C-189/08: Zuid-Chemie, OJ C 220/11 of 12 September 2009                         |
| 2.12 | Judgment of the Court (Third Chamber) of 17 September 2009<br>In Case C-347/08: Vorarlberger Gebietskrankenkasse, OJ C 267/22 of 7 November 2009 |
| 2.13 | Judgment of the Court (Grand Chamber) of 27 October 2009<br>In Case C-115/08: ČEZ, OJ C 312/5 of 19 December 2009                                |
| 2.14 | Order of the Court of 20 November 2009<br>In Case C-278/09: Martinez, OJ C 24/18 of 30 January 2010  |
| 2.15 | Judgment of the Court (Fourth Chamber) of 25 February 2010<br>In Case C-381/08: Car Trim, OJ C 100/4 of 17 April 2010                            |

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| 2.16 | Judgment of the Court (Third Chamber) of 11 March 2010<br>In Case C-19/09: Wood Floor, OJ C 113/14 of 1 May 2010                          |
| 2.17 | Judgment of the Court (Grand Chamber) of 4 May 2010<br>In Case C-533/08: TNT Express, OJ C 179/7 of 3 July 2010                           |
| 2.18 | Judgment of the Court (Fourth Chamber) of 20 May 2010<br>In Case C-111/09: Bilas, OJ C 179/11 of 3 July 2010                              |
| 2.19 | Judgment of the Court (Grand Chamber) of 7 December 2010<br>In joined Cases C-585/08 and C-144/09: Pammer, OJ C 55/4 of 19 February 2011  |
| 2.20 | Judgment of the Court (Third Chamber) of 12 May 2011<br>In Case C-144/10: Berliner Verkehrsbetriebe, OJ C 194/6 of 2 July 2011            |
| 2.21 | Judgment of the Court (Third Chamber) of 9 June 2011<br>In Case C-87/10: Electrosteel, OJ C 226/6 of 30 July 2011                         |
| 2.22 | Judgment of the Court (Fourth Chamber) of 13 October 2011<br>In Case C-139/10: Prism, OJ C 355/5 of 3 December 2011                       |
| 2.23 | Judgment of the Court (Grand Chamber) of 18 October 2011<br>In Case C-406/09: Realchemie, OJ C 362/4 of 10 December 2011                  |
| 2.24 | Judgment of the Court (Grand Chamber) of 25 October 2011<br>In joined Cases C-509/09 and C-161/10: e-Date, OJ C 370/9 of 17 December 2011 |
| 2.25 | Judgment of the Court (First Chamber) of 17 November 2011<br>In Case C-327/10: Hypoteční banka, OJ C 25/12 of 28 January 2012             |
| 2.26 | Judgment of the Court (First Chamber) of 15 March 2012<br>In Case C-292/10: G v Cornelius de Visser, OJ C 133/5 of 5 May 2012             |
| 2.27 | Judgment of the Court (First Chamber) of 19 April 2012<br>In Case C-213/10: F-Tex, OJ C 165/3 of 9 June 2012                              |
| 2.28 | Judgment of the Court (First Chamber) of 19 April 2012<br>In Case C-523/10: Wintersteiger, OJ C 165/5 of 9 June 2012                      |

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| 2.29 | Judgment of the Court (Third Chamber) of 21 June 2012<br>In Case C-514/10: Wolf Naturprodukte, OJ C 250/3 of 18 August 2012                         |
| 2.30 | Judgment of the Court (Third Chamber) of 12 July 2012<br>In Case C-616/10: Solvay, OJ C 287/7 of 22 September 2012                                  |
| 2.31 | Judgment of the Court (Grand Chamber) of 19 July 2012<br>In Case C-154/11: Mahamdia, OJ C 295/11 of 29 September 2012                               |
| 2.32 | Judgment of the Court (First Chamber) of 6 September 2012<br>In Case C-619/10: Trade Agency, OJ C 331/3 of 27 October 2012                          |
| 2.33 | Judgment of the Court (Fourth Chamber) of 6 September 2012<br>In Case C-190/11: Mühlleitner, OJ C 355/6 of 17 November 2012                         |
| 2.34 | Judgment of the Court (First Chamber) of 25 October 2012<br>In Case C-133/11: Folien Fischer and Fofitec, OJ C 399/4 of 22 December 2012            |
| 2.35 | Judgment of the Court (Third Chamber) of 8 November 2012<br>In Case C-461/11: Radziejewski, OJ C 9/20 of 12 January 2013                            |
| 2.36 | Judgment of the Court (Third Chamber) of 15 November 2012<br>In Case C-456/11: Gothaer Allgemeine Versicherung et al., OJ C 9/19 of 12 January 2013 |
| 2.37 | Judgment of the Court (First Chamber) of 7 February 2013<br>In Case C-543/10: Refcomp, OJ C 108/2 of 13 April 2013                                  |
| 2.38 | Judgment of the Court (First Chamber) of 14 March 2013<br>In Case C-419/11: Česká spořitelna, a.s., OJ C 141/6 of 18 May 2013                       |
| 2.39 | Judgment of the Court (Third Chamber) of 11 April 2013<br>In Case C-645/11: Sapir et al., Press Release No 40/13 of 11 April 2013                   |
| 2.40 | Judgment of the Court (First Chamber) of 16 May 2013<br>In Case C-228/11: Melzer  |
| 2.41 | Judgment of the Court (Third Chamber) of 13 June 2013<br>In Case C-144/12 Goldbet Sportwetten, OJ C 225/29 of 3 August 2013                         |

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| 2.42 | Judgment of the Court (Fifth Chamber) of 18 July 2013<br>In Case C-147/12 ÖFAB, OJ C 260/14 of 7 September 2013                        |
| 2.43 | Judgment of the Court (Third Chamber) of 12 September 2013<br>In Case C-49/12 Sunico, OJ C 325/6 of 9 November 2013                    |
| 2.44 | Judgment of the Court (Fourth Chamber) of 26 September 2013<br>In Case C-157/12 Salzgitter Mannesmann, OJ C 344/26 of 23 November 2013 |
| 2.45 | Judgment of the Court (Third Chamber) of 3 October 2013<br>In Case C-386/12 Schneider, OJ C 344/35 of 23 November 2013                 |
| 2.46 | Judgment of the Court (Fourth Chamber) of 3 October 2013<br>In Case C-170/12 Pinckney, OJ C 344/27 of 23 November 2013                 |
| 2.47 | Judgment of the Court (Third Chamber) of 17 October 2013<br>In Case C-218/12 Emrek, OJ C 367/14 of 14 December 2013                    |
| 2.48 | Judgment of the Court (Seventh Chamber) of 17 October 2013 In<br>Case C-519/12 OTP Bank, OJ C 367/20 of 14 December 2013               |
| 2.49 | Judgment of the Court (Eighth Chamber) of 14 November 2013<br>In Case C-478/12 Maletic, OJ C 9/14 of 11 January 2014                   |
| 2.50 | Judgment of the Court (First Chamber) of 19 December 2013<br>In Case C-9/12 Corman-Collins, OJ C 52/6 of 22 February 2014              |
| 2.51 | Judgment of the Court (Third Chamber) of 19 December 2013<br>In Case C-452/12 Nipponkoa Insurance, OJ C 52/19 of 22 February 2014      |
| 2.52 | Judgment of the Court (Fourth Chamber) of 16 January 2014<br>In Case C-45/13 Kainz, OJ C 85/10 of 22 March 2014                        |
| 2.53 | Judgment of the Court (Third Chamber) of 27 February 2014<br>In Case C-1/13 Cartier parfums, OJ C 112/12 of 14 April 2014              |
| 2.54 | Judgment of the Court (Seventh Chamber) of 13 March 2014<br>In Case C-548/12 Brogsitter, OJ C 135/10 of 5 May 2014                     |

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| 2.55 | Judgment of the Court (Fourth Chamber) of 3 April 2014<br>In Case C-387/12 Hi Hotel, OJ C 159/4 of 26 May 2014                                   |
| 2.56 | Judgment of the Court (Third Chamber) of 3 April 2014<br>In Case C-438/12 Weber, OJ C 159/6 of 26 May 2014                                       |
| 2.57 | Judgment of the Court (Fourth Chamber) of 5 June 2014<br>In Case C-360/12 Coty, OJ C 253/6 of 4 August 2014                                      |
| 2.58 | Order of the Court (Eighth Chamber) of 5 June 2014<br>In Case C-350/13 Gramsci Shipping, OJ C 261/7 of 11 August 2014                            |
| 2.59 | Judgment of the Court (First Chamber) 11 June 2015<br>In Joined Cases C-226/13, C-245/13, C-247/13 and C-578/13, ECLI:EU:C:2015:383              |
| 2.60 | Judgment of the Court (First Chamber) 11 June 2015<br>In Case C-649/13, Comité d'entreprise de Nortel Networks SA and Others, ECLI:EU:C:2015:384 |
| 2.61 | Judgment of the General Court (Second Chamber) of 15 July 2015.<br>In Case T-611/13, Australian Gold LLC, ECLI:EU:T:2015:492                     |
| 2.62 | Judgment of the Court (Fifth Chamber) of 11 September 2014<br>In Case C-112/13 A and B, OJ C 409/10 of 17 November 2014                          |
| 2.63 | Judgment of the Court (Third Chamber) of 23 October 2014<br>In Case C-302/13 Lithuanian Airlines, OJ C 439/7 of 8 December 2014                  |
| 2.64 | Judgment of the Court (Fourth Chamber) of 28 January 2015<br>In Case C-375/13 Kolassa, OJ C 107/4 of 30 March 2015                               |
| 2.65 | Order of the General Court (Fifth Chamber) of 18 May 2015.<br>In Case T-559/14 Ackermann Saatzucht GmbH & Co. KG, ECLI:EU:T:2015:315             |
| 2.66 | Judgment of the Court (Third Chamber) of 16 July 2015<br>In Case C-184/14 A v B, ECLI:EU:C:2015:479  |
| 2.67 | Judgment of the Court (Grand Chamber) of 13 May 2015<br>In Case C-536/13 Gazprom, OJ C 236/8 of 20 July 2015                                     |



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| 2.68 | Judgment of the Court (Fourth Chamber) of 21 May 2015<br>In Case C-352/13 CDC Hydrogen Peroxide, OJ C 236/3 of 20 July 2015        |
| 2.69 | Judgment of the Court (Third Chamber) of 21 May 2015<br>In Case C-322/14 El Majdoub, OJ C 236/19 of 20 July 2015                   |
| 2.70 | Judgment of the Court (First Chamber) of 16 July 2015<br>In Case C-681/13 Diageo Brands, ECLI:EU:C:2015:471                        |
| 2.71 | Judgment of the Court (First Chamber) of 9 September 2015<br>In Case C-4/14 Bohez, ECLI:EU:C:2015:563                              |
| 2.72 | Judgment of the Court (First Chamber) 9 September 2015<br>In Case C-240/14, Eleonore Prüller-Frey, ECLI:EU:C:2015:567              |
| 2.73 | Judgment of the Court (Third Chamber) of 10 September 2015<br>In Case C-47/14 Holterman, ECLI:EU:C:2015:574                        |
| 2.74 | Judgment of the General Court (Eighth Chamber) of 10 September 2015<br>In Case T-572/14 Laverana GmbH & Co. KG, ECLI:EU:T:2015:623 |
| 2.75 | Judgment of the Court (Third Chamber) of 6 October 2015<br>In Case C-489/14 A v. B, ECLI:EU:C:2015:654                             |
| 2.76 | Judgment of the Court (Fourth Chamber) 22 October 2015<br>In Case C-245/14, Thomas Cook Belgium NV, ECLI:EU:C:2015:715             |
| 2.77 | Judgment of the Court (Third Chamber) of 22 October 2015<br>In Case C-523/14 Aannemingsbedrijf Aertssen NV, ECLI:EU:C:2015:722     |
| 2.78 | Judgment of the Court (Fourth Chamber) of 10 December 2015<br>In Case C-350/14, Florin Lazar ECLI:EU:C:2015:802                    |
| 2.79 | Judgment of the Court (Fourth Chamber) of 17 December 2015<br>In Case C-300/14, Imtech Marine Belgium NV ECLI:EU:C:2015:825        |
| 2.80 | Judgment of the Court (Seventh Chamber) of 17 December 2015<br>In Case C-605/14 Virpi Komu and Others, ECLI:EU:C:2015:833          |

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| 2.81 | Judgment of the Court (Fourth Chamber) of 23 December 2015<br>In Case C-297/14, Rüdiger Hobohm ECLI:EU:C:2015:844  |
| 2.82 | Judgment of the Court (Fourth Chamber) 21 January 2016<br>In Joined Cases C-359/14 and C-475/14 'ERGO Insurance' SE, 'If P&C Insurance'<br>AS, ECLI:EU:C:2016:40 |
| 2.83 | Judgment of the Court (Fourth Chamber) of 21 January 2016<br>In Case C-521/14, SOVAG, ECLI:EU:C:2016:41  |
| 2.84 | Judgment of the Court (Second Chamber) of 10 March 2016<br>In Case C-94/14 Flight Refund Ltd, ECLI:EU:C:2016:148   |
| 2.85 | Judgment of the Court (Sixth Chamber) of 17 March 2016.<br>In Case C-175/15 Taser International Inc., ECLI:EU:C:2016:176   |
|      | <b>Service of documents</b>  |
| 2.86 | Judgment of the Court (Third Chamber) of 9 February 2006<br>In Case C-473/04: Plumex   |
| 2.87 | Judgment of the Court (Third Chamber) of 8 May 2008<br>In Case C-14/07: Weiss und Partner GbR  |
| 2.88 | Judgment of the Court (Third Chamber) of 11 June 2009<br>In Case C-564/07 Commission v Austria ECLI:EU:C:2009:364  |
| 2.89 | Judgment of the Court (Third Chamber) of 25 June 2009<br>In Case C-14/08: Roda Golf & Beach Resort SL, OJ C 205/7 of 29 August 2009                              |
| 2.90 | Judgment of the Court (First Chamber) of 14 January 2010<br>In Case C-233/08, Milan Kyrian ECLI:EU:C:2010:11   |
| 2.91 | Judgment of the Court (First Chamber) of 15 March 2012<br>In Case C-292/10, ECLI:EU:C:2012:142   |
| 2.92 | Judgment of the Court (First Chamber) of 19 December 2012<br>In Case C-325/11: Alder, OJ C 46/7 of 16 February 2013  |

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| 2.93  | Judgment of the Court (First Chamber) of 11 June 2015<br>In Joined Cases C-226/13, C-245/13, C-247/13 and C-578/13, Stefan Fahrenbrock and others, ECLI:EU:C:2015:383 |
| 2.94  | Judgment of the Court (First Chamber) of 16 September 2015<br>In Case C-519/13, Alpha Bank Cyprus Ltd ECLI:EU:C:2015:603  |
| 2.95  | Judgment of the Court (First Chamber) of 11 November 2015<br>In Case C-223/14 Tecom Mican SL, ECLI:EU:C:2015:744  |
| 2.96  | Order of the Court (Tenth Chamber) of 28 April 2016<br>In Case C-384/14 Alta Realitat S.L., ECLI:EU:C:2016:316  |
|       | <b>Taking of evidence</b>   |
| 2.97  | Judgment of the Court (First Chamber) of 28 April 2005.<br>In Case C-104/03, St. Paul Dairy Industries NV ECLI:EU:C:2005:255  |
| 2.98  | Judgment of the Court (First Chamber) of 22 December 2010.<br>In Case C-491/10 PPU Joseba Andoni Aguirre Zarraga ECLI:EU:C:2010:828                                   |
| 2.99  | Judgment of the Court (First Chamber) of 17 February 2011<br>In Case C-283/09: Weryński, OJ C 103/5 of 2 April 2011   |
| 2.100 | Judgment of the Court (First Chamber) of 6 September 2012<br>In Case C-170/11: Lippens et al., OJ C 331/8 of 27 October 2012  |
| 2.101 | Judgment of the Court (First Chamber) of 21 February 2013<br>In Case C-332/11: ProRail, OJ C 114/11 of 20 April 2013  |
|       | <b>European order for payment</b>   |
| 2.102 | Judgment of the Court (First Chamber) of 13 December 2012<br>In Case C-215/11: Iwona Szyrocka, ECLI:EU:C:2012:794   |
| 2.103 | Order of the Court (Third Chamber) of 21 March 2013<br>In Case C-324/12: Novontech-Zala kft., ECLI:EU:C:2013:205  |

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| 2.104 | Judgment of the Court (Third Chamber) of 4 September 2014<br>In Joined Cases C-119/13 and C-120/13: eco cosmetics GmbH & Co. KG,<br>ECLI:EU:C:2014:2144                               |
|       | <b>European enforcement order</b>   |
| 2.105 | Judgment of the Court (Second Chamber) of 15 February 2007.<br>In Case C-292/05: Eirini Lechouritou and Others, ECLI:EU:C:2007:102  |
| 2.106 | Judgment of the Court (First Chamber) of 15 March 2012.<br>In Case C-292/10: G v Cornelius de Visser, ECLI:EU:C:2012:142  |
| 2.107 | Judgment of the Court (Ninth Chamber) of 5 December 2013<br>In Case C-508/12: Walter Vapenik v Josef Thurner, ECLI:EU:C:2013:790  |
| 2.108 | Request for a preliminary ruling from the Tribunale civile di Bologna (Italy) lodged on<br>14 November 2014<br>In Case C-511/14: Pebros Servizi s.r.l. v Aston Martin Lagonda Limited |