Aims and Scope

The International Review of Intellectual Property and Competition Law is a peer-reviewed publication. Having been published since 1970 by the Max Planck Institute for Innovation and Competition, IIC provides access to information and genuine academic research findings in the field of IP and competition law. The scope of the journal includes the law on patents, copyright, designs, trade marks, unfair competition and restraints of competition. At the same time, IIC adopts a multidisciplinary approach and thus also publishes economic analyses and material on aspects of competition and innovation policy related to IP and competition law. The journal monitors developments at the international and national level, including those in “non-mainstream” jurisdictions. IIC is further known to value perspectives on legal developments highlighting facets not usually covered by (most) non-European journals on the topic. The journal is directed at the specialist, who has an interest in scholarly debate. IIC publishes articles, opinions, reports, international and national case law, case notes and book reviews.

Abstracted/Index ed in: Scopus, International Bibliography of Book Reviews (IBR), International Bibliography of Periodical Literature (IBZ), Google Scholar, Summon by Serial Solutions, OCLC, SCImago

Ownership and Copyright

© Max Planck Institute for Innovation and Competition, Munich 2016
V.i.S.d.P: Josef Drexl

Journal Website

www.springer.com/40319
Electronic edition: link.springer.com/journal/40319

Subscription Information

IIC - International Review of Intellectual Property and Competition Law is published 8 times a year. Volume 47 (8 issues) will be published in 2016.
EDITORIAL BOARD

William R. Cornish, QC, LL.D. (Cambridge), F.B.A., Professor of Law Emeritus, University of Cambridge, External Academic Member of the Max Planck Institute for Innovation and Competition

Josef Drexl (Editor-in-Chief), Dr. jur., LL.M. (UC Berkeley), Professor of Law, Director of the Max Planck Institute for Innovation and Competition, Honorary Professor at the Ludwig-Maximilians-Universität Munich

Christophe Geiger, Dr. iur., Associate Professor, Director General and Director of the Research Department of the Centre for International Intellectual Property Studies (CEIPI), University of Strasbourg, Affiliated Research Fellow, Max Planck Institute for Innovation and Competition

Henning Grosse Ruse-Khan, Dr. iur., University Lecturer in Law, University of Cambridge, and Fellow, King's College, Affiliated Research Fellow, Max Planck Institute for Innovation and Competition

Christopher Heath, Dr. jur., Judge, Boards of Appeal, European Patent Office, Munich

Reto M. Hilty (Editor-in-Chief), Dr. jur., Professor of Law, Director of the Max Planck Institute for Innovation and Competition, Ordinarius ad personam at the University of Zurich, Honorary Professor at the Ludwig-Maximilians-Universität Munich

Annette Kur, Dr. iur., Associate Professor at Stockholm University, Senior Research Fellow at the Max Planck Institute for Innovation and Competition

Jochen Pagenberg, Dr. jur., LL.M. (Harvard), Attorney-at-Law, Munich/Paris

Alexander Peukert, Dr. iur., Professor of Law, Goethe University Frankfurt am Main

Hanns Ullrich, Dr. iur., M.C.J. (NYU), Professor of Law Emeritus, Affiliated Research Fellow, Max Planck Institute for Innovation and Competition, Visiting Professor, College of Europe, Bruges

LEGAL MANAGER

Sofia P. Filgueiras, LL.M. Eur. (Munich), Research Fellow, Max Planck Institute for Innovation and Competition

PRINT AND PUBLISHING EDITOR

Charles Heard
# Table of Contents

## Editorials

<table>
<thead>
<tr>
<th>Author</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bagnoli, V.</td>
<td>Competition for the Effectiveness of Big Data Benefits</td>
<td>629</td>
</tr>
<tr>
<td>Beldiman, D. and Blanke-Roeser, C.</td>
<td>European Design Law: Considerations Relating to Protection of Spare Parts for Restoring a Complex Product’s Original Appearance</td>
<td>915</td>
</tr>
<tr>
<td>Blanke-Roeser, C.</td>
<td>cf. Beldiman, D.</td>
<td>915</td>
</tr>
<tr>
<td>Di Cataldo, V.</td>
<td>The Role of Law, the Role of Reason and Intellectual Property: The Passing of Time and the Sense of the Rules</td>
<td>383</td>
</tr>
<tr>
<td>Goldstein, P.</td>
<td>Future Platforms for Copyright Licensing</td>
<td>153</td>
</tr>
<tr>
<td>Kamperman Sanders, A.</td>
<td>Geographical Indications of Origin: When GIs Become Commodities, All Gloves Come Off</td>
<td>755</td>
</tr>
<tr>
<td>Nérisson, S.</td>
<td>Has Collective Management of Copyright Run Its Course? Not so Fast</td>
<td>505</td>
</tr>
<tr>
<td>Petersen, C.S.</td>
<td>cf. Schovsbo, J.</td>
<td>271</td>
</tr>
<tr>
<td>Riis, T.</td>
<td>cf. Schovsbo, J.</td>
<td>271</td>
</tr>
<tr>
<td>Schovsbo, J., Riis, T., and Petersen, C.S.</td>
<td>The Unified Patent Court: Pros and Cons of Specialization – Is There a Light at the End of the Tunnel (Vision)?</td>
<td>271</td>
</tr>
<tr>
<td>Ullrich, H.</td>
<td>The European Patent and Its Courts: An Uncertain Prospect and an Unfinished Agenda</td>
<td>1</td>
</tr>
</tbody>
</table>

## Articles

<table>
<thead>
<tr>
<th>Author</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arai, K.</td>
<td>Indirect Evidence in Japanese Cartel Control</td>
<td>340</td>
</tr>
<tr>
<td>Bergström, J.</td>
<td>The Efficiency of India’s Patent Layering Regime – Section 3(d) from Scientific Terminology to Patenting Implications</td>
<td>665</td>
</tr>
<tr>
<td>Bu, Q.</td>
<td>Resale Price Maintenance (RPM) Agreements Under AML 2008 – Per Se Illegal Treatment vis-à-vis the Rule-of-Reason Approach</td>
<td>565</td>
</tr>
<tr>
<td>Calboli, I.</td>
<td>Geographical Indications of Origin at the Crossroads of Local Development, Consumer Protection and Marketing Strategies</td>
<td>760</td>
</tr>
<tr>
<td>Dagne, T.W.</td>
<td>Beyond Economic Considerations: (Re)Conceptualizing Geographical Indications for Protecting Traditional Agricultural Products</td>
<td>682</td>
</tr>
<tr>
<td>Denvir, C.</td>
<td>cf. Fhima, I.</td>
<td>310</td>
</tr>
<tr>
<td>Eckel, P.</td>
<td>A Common Approach to Collective Redress in Antitrust and Unfair Competition – A Comparison of the EU, Germany and the United Kingdom</td>
<td>920</td>
</tr>
<tr>
<td>Engelhardt, T.</td>
<td>Geographical Indications Under Recent EU Trade Agreements</td>
<td>781</td>
</tr>
</tbody>
</table>
**Articles (cont’d)**

<table>
<thead>
<tr>
<th>Author(s)</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Falce, V.</td>
<td>Trade Secrets – Looking for (Full) Harmonization in the Innovation Union</td>
<td>940</td>
</tr>
<tr>
<td>Fhima, I. and Denvir, C.</td>
<td>An Empirical Analysis of the Likelihood of Confusion Factors in European Trade Mark Law</td>
<td>310</td>
</tr>
<tr>
<td>Heath, C. and Marie-Vivien, D.</td>
<td>Geographical Indications and the Principles of Trade Mark Law – A Distinctly European Perspective</td>
<td>819</td>
</tr>
<tr>
<td>Husovec, M. and Peguera, M.</td>
<td>Much Ado about Little – Privately Litigated Internet Disconnection Injunctions</td>
<td>10</td>
</tr>
<tr>
<td>Knaak, R.</td>
<td>Geographical Indications and Their Relationship with Trade Marks in EU Law</td>
<td>843</td>
</tr>
<tr>
<td>Marie-Vivien, D.</td>
<td>cf. Heath, C.</td>
<td>819</td>
</tr>
<tr>
<td>Marsoof, A.</td>
<td>The Blocking Injunction – A Critical Review of Its Implementation in the United Kingdom Within the Legal Framework of the European Union</td>
<td>632</td>
</tr>
<tr>
<td>Matulionyte, R.</td>
<td>The Upcoming EU Copyright Review: A Central-Eastern European Perspective</td>
<td>439</td>
</tr>
<tr>
<td>Mei, G.</td>
<td>Interlocutory Injunctions in IP Infringement Actions in England and Wales and in Ireland – American Cyanamid Revisited</td>
<td>175</td>
</tr>
<tr>
<td>Peguera, M.</td>
<td>cf. Husovec, M.</td>
<td>10</td>
</tr>
<tr>
<td>Plomer, A.</td>
<td>A Unitary Patent for a (Dis)United Europe: The Long Shadow of History</td>
<td>508</td>
</tr>
<tr>
<td>Quintais, J.P.</td>
<td>Private Copying and Downloading from Unlawful Sources</td>
<td>66</td>
</tr>
<tr>
<td>Song, S.H.</td>
<td>China’s Copyright Protection for Audio-Visual Works – A Comparison with Europe and the U.S.</td>
<td>410</td>
</tr>
<tr>
<td>Wang, J.</td>
<td>Development of Hosting ISPs’ Secondary Liability for Primary Copyright Infringement in China – As Compared to the US and German Routes</td>
<td>275</td>
</tr>
<tr>
<td>Xu, F.</td>
<td>Added Subject-Matter in Chinese and European Patent Law</td>
<td>155</td>
</tr>
</tbody>
</table>

**Opinions**

<table>
<thead>
<tr>
<th>Author(s)</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bently, L.</td>
<td>cf. Geiger, C.</td>
<td>93</td>
</tr>
<tr>
<td>Drexel, J.</td>
<td>cf. Hilty, R.M.</td>
<td>707</td>
</tr>
<tr>
<td>Geiger, C., Griffiths, J., Senftleben, M., Bently, L. and Xalabarder, R.</td>
<td>Limitations and Exceptions as Key Elements of the Legal Framework for Copyright in the European Union – Opinion of the European Copyright Society on the Judgment of the CJEU in Case C-201/13 Deckmyn</td>
<td>93</td>
</tr>
</tbody>
</table>
Opinions (cont’d)

Griffiths, J. ........................................................................................................................................ 93
Hilty, R.M., Köklü, K., Kur, A., Nérisson, S., Drexl, J. and von Lewinski, S.  Position Paper of the Max Planck Institute for Innovation and Competition · Concerning the Implementation of the WIPO Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled........................................ 707
Köklü, K. ........................................................................................................................................ 707
Kur, A. ........................................................................................................................................... 707
Nérisson, S. ..................................................................................................................................... 707
Picht, P. ........................................................................................................................................... 203
Senftleben, M. ................................................................................................................................ 93
von Lewinski, S. ................................................................................................................................ 707
Xalabarder, R. .................................................................................................................................. 93

Reports

Lee, Y.H.  United Kingdom Copyright Decisions and Legislative Developments 2014............................................................. 226
Nasrollahi Shahri, N. and Nourmohammadi, E.  An Overview of Iran’s Comprehensive Intellectual Property Bill........ 212
Nourmohammadi, E. ....................................................................................................................... 212
Powles, J.  United Kingdom Patent Decisions 2014 ......................................................................... 221
Weller, G. ..................................................................................................................................... 238
Zhou, Y. ..................................................................................................................................... 238

Book Reviews

Heath, C.  Justin Malbon, Charles Lawson and Mark Davison: The WTO Agreement on Trade-Related Aspects of Intellectual Property Rights – A Commentary ................................................................................................. 999
Book Reviews (cont’d)


Ng-Loy, W.L. Reto M. Hilty and Liu Kung-Chung (eds.): Compulsory Licensing: Practical Experiences and Ways Forward ............................................................. 624

Trimble, M. Irene Calboli and Edward Lee (eds.): Trademark Protection and Territoriality Challenges in a Global Economy ........................................................................ 910

Watal, J. Arul George Scaria: Piracy in the Indian Film Industry: Copyright and Cultural Consonance ........................................................................................................... 379

Case Notes

European Union
Stazi, P. Comment on “International Stem Cell”: The EU Court of Justice Revisits the Patentability of Processes for the Production of Human Stem Cells – The Decision in International Stem Cell Corporation .......... 740

Finland
Honkasalo, P. and Pitkänen, T. Comment on “Verkkokauppa.com” ................................................................. 995

Pitkänen, T. cf. Honkasalo, P. ........................................................................................................................................ 955

Italy
Bellia, M. Comment on “Vorwerk Folletto”: An Important Decision Concerning Trade Mark Reproduction on Replacement Components......................... 620

Japan
Hoshino, M. Comment on “Hakata-Ori” ........................................................................................................... 907

People’s Republic of China
Yang, Y. Comment on “Haitang Bay”: Has the Law Provided for Full Protection Against Trademark Registrations in Bad Faith? An Interpretation of the Supreme People’s Court of China in Li Longfeng v. the Trademark Review and Adjudication Board and Sanya City Haitang Bay Management Committee ........................................................................ 491

Decisions

Patent Law

Europe
“Apprehension of Bias” ................................................................................................................................. 102

European Patent Office
Enlarged Board of Appeal · 25 April 2014 – Case No. R 0019/12

European Union
“International Stem Cell” · International Stem Cell Corporation v. Comptroller General of Patents, Designs and Trade Marks ................................. 358

European Court of Justice (Grand Chamber) · 18 December 2014 – Case No. C-364/13
<table>
<thead>
<tr>
<th>Location</th>
<th>Case Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>European Union</td>
<td>&quot;Spain v. EPUE I&quot; · <em>Kingdom of Spain v. European Parliament and Council of the European Union</em></td>
<td>588</td>
</tr>
<tr>
<td>European Court of Justice (Grand Chamber) · 5 May 2015 – Case No. C-146/13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>European Union</td>
<td>&quot;Spain v. EPUE II&quot; · <em>Kingdom of Spain v. Council of the European Union</em></td>
<td>589</td>
</tr>
<tr>
<td>European Court of Justice (Grand Chamber) · 5 May 2015 – Case No. C-147/13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>European Union</td>
<td>&quot;Huawei Technologies&quot; · <em>Huawei Technologies Co. Ltd v. ZTE Corp., ZTE Deutschland GmbH</em></td>
<td>965</td>
</tr>
<tr>
<td>European Court of Justice (Fifth Chamber) · 16 July 2015 – Case No. C-170/13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Australia</td>
<td>&quot;Myriad Australia&quot; · <em>Yvonne D'Arcy v. Myriad Genetics Inc and Genetic Technologies Limited</em></td>
<td>359</td>
</tr>
<tr>
<td>Federal Court (Full Court) · 5 September 2014 – Case No. [2014] FCAFC 115</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Australia</td>
<td>&quot;Research Affiliates v. Commissioner of Patents&quot; · <em>Research Affiliates LLC v. Commissioner of Patents</em></td>
<td>246</td>
</tr>
<tr>
<td>Federal Court · 10 November 2014 – Case Nr. [2014] FCAFC 150</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>&quot;Justification of Appeal by E-Mail&quot; (Berufungs begründung per E-Mail)</td>
<td>469</td>
</tr>
<tr>
<td>Federal Supreme Court (Bundesgerichtshof) · 15 July 2008 – Case No. X ZB 8/08</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>&quot;Communication Channel&quot; (Kommunikationskanal)</td>
<td>590</td>
</tr>
<tr>
<td>Federal Supreme Court (Bundesgerichtshof) · 11 February 2014 – Case No. X ZR 107/12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>&quot;Kollagenase I&quot;</td>
<td>470</td>
</tr>
<tr>
<td>Federal Supreme Court (Bundesgerichtshof) · 25 February 2014 – Case No. X ZB 5/13</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Decisions (cont’d)

<table>
<thead>
<tr>
<th>Country</th>
<th>Case Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>“Kollagenase II”</td>
<td>472</td>
</tr>
<tr>
<td>Federal Supreme</td>
<td>Supreme Court (Bundesgerichtshof) 25 February 2014 – Case No. X ZB 6/13</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>“Protein Separation” (Proteintrennung)</td>
<td>473</td>
</tr>
<tr>
<td>Federal Supreme</td>
<td>Supreme Court (Bundesgerichtshof) 18 March 2014 – Case No. X ZR 77/12</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>“Tire Removal Machine” (Reifendemontiermaschine)</td>
<td>591</td>
</tr>
<tr>
<td>Federal Supreme</td>
<td>Supreme Court (Bundesgerichtshof) 1 April 2014 – Case No. X ZR 31/11</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>“Pivoting Seat” (Sitzgelenk)</td>
<td>248</td>
</tr>
<tr>
<td>Federal Supreme</td>
<td>Supreme Court (Bundesgerichtshof) 13 May 2014 – Case No. X ZR 25/13</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>“Analog-to-Digital Converter” (Analog–Digital-Wandler)</td>
<td>474</td>
</tr>
<tr>
<td>Federal Supreme</td>
<td>Supreme Court (Bundesgerichtshof) 27 May 2014 – Case No. X ZR 2/13</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>“Irreparable Disadvantage” (Nicht zu ersetzender Nachteil)</td>
<td>249</td>
</tr>
<tr>
<td>Federal Supreme</td>
<td>Supreme Court (Bundesgerichtshof) 8 July 2014 – Case No. X ZR 61/13</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>“Short Message Function” (Kurznachrichtenfunktion)</td>
<td>252</td>
</tr>
<tr>
<td>Federal Supreme</td>
<td>Supreme Court (Bundesgerichtshof) 16 September 2014 – Case No. X ZR 68/13</td>
<td></td>
</tr>
<tr>
<td>Germany</td>
<td>“Access Rights” (Zugriffsrechte)</td>
<td>717</td>
</tr>
<tr>
<td>Federal Supreme</td>
<td>Supreme Court (Bundesgerichtshof) 14 October 2014 – Case No. X ZR 35/11</td>
<td></td>
</tr>
</tbody>
</table>
### Decisions (cont’d)

<table>
<thead>
<tr>
<th>Germany</th>
<th>Federal</th>
<th>Supreme Court (Bundesgerichtshof)</th>
<th>Date</th>
<th>Case No.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>3 November 2014 –</td>
<td></td>
<td>X ZR 148/11</td>
</tr>
<tr>
<td>Germany</td>
<td></td>
<td>11 November 2014 –</td>
<td></td>
<td>X ZR 128/09</td>
</tr>
<tr>
<td></td>
<td></td>
<td>25 November 2014 –</td>
<td></td>
<td>X ZR 119/09</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 December 2014 –</td>
<td></td>
<td>X ZB 1/13</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 December 2014 –</td>
<td></td>
<td>X ZR 151/12</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9 December 2014 –</td>
<td></td>
<td>X ZR 6/13</td>
</tr>
<tr>
<td></td>
<td></td>
<td>13 January 2015 –</td>
<td></td>
<td>X ZR 41/13</td>
</tr>
<tr>
<td></td>
<td></td>
<td>13 January 2015 –</td>
<td></td>
<td>X ZR 81/13</td>
</tr>
</tbody>
</table>

- “Challenge for Bias of an Expert” ................................................................. 592
- “Repaglinid” ........................................................................................................ 595
- “Grinding Product” (Schleifprodukt) ............................................................... 967
- “Seat Numbering System” (Sitzplatznummerierungseinrichtung) .......... 718
- “Forced Action Mixer” (Zwangsmischer) .......................................................... 974
- “Crimping Pliers” (Presszange) ....................................................................... 719
- “Quetiapin” ......................................................................................................... 720
- “Cooking Pan” (Kochgefäss) ............................................................................. 721
Decisions (cont’d)

Germany
Federal Supreme Court (Bundesgerichtshof) · 3 February 2015 – Case No. X ZR 76/13

“Stabilisation of Water Quality” (Stabilisierung der Wasserqualität) .......... 975

India
Bombay High Court · 15 July 2014 – Writ Petition No. 1323 of 2013

“Bayer v. Natco” · Bayer Corporation v. Union of India, the Controller of Patents of the Patent Office, and Natco Pharma Limited ......................... 976

India
High Court of Delhi at New Delhi · 7 November 2014 – Case FAO(OS) No. 16


Italy
Supreme Court of Cassation, I Civil Division (Suprema Corte di Cassazione, Sezione I Civile) · 10 September 2014 – Case No. 19009/2014

“Snamprogetti” · Mr. P.E. v. Snamprogetti S.p.A. ........................................ 596

Japan
Intellectual Property High Court · 16 May 2014 – Case No. 2013 (Heisei 25) (ne) 10043

“Apple v. Samsung” · Apple Limited v. Samsung Inc. ................................. 116

Japan
Intellectual Property High Court · 16 May 2014 – Case No. 2013 (Heisei 25) (ra) 10007 and 10008

“Samsung v. Apple” · Samsung Inc. v. Apple Limited ................................. 124

United States of America
Supreme Court · 2 June 2014 – Case No. 12-786


United States of America
Supreme Court · 2 June 2014 – Case No. 13-369

“Nautilus v. Biosig” · Nautilus, Inc. v. Biosig Instruments, Inc. .................... 132
### Decisions (cont’d)

**United States**  
Supreme Court · 20 January 2015 – Case No. 13-854  

**United States**  
Supreme Court · 26 May 2015 – Case No. 13-896  
“Commil v. Cisco Systems” · *Commil v. Cisco Systems* ................................. 727

**United States**  
Supreme Court · 22 June 2015 – Case No. 13-720  
“Kimble v. Marvel Entertainment” · *Kimble et al. v. Marvel Entertainment, LLC, Successor to Marvel Enterprises, Inc.* ................................. 978

### COPYRIGHT LAW

**European Union**  
European Court of Justice (Fourth Chamber) · 27 February 2014 – Case No. C-351/12  
“OSA” · *OSA (Ochranný svaz autorský pro práva k dílům hudebním o.s.) v. Léčebné lázně Mariánské Lázně a.s.* ................................................................. 484

**European Union**  
European Court of Justice (Fourth Chamber) · 10 April 2014 – Case No. C-435/12  
“ACI Adam” · *ACI Adam BV and Others v. Stichting de Thuiskopie and Stichting Onderhandelingen Thuiskopie vergoeding* ........................................ 134

**European Union**  
European Court of Justice (Grand Chamber) · 3 September 2014 – Case No. C-201/13  
“Deckmyn” · *Johan Deckmyn and Vrijheidsfonds VZW v. Helena Vandersteen, Christiane Vandersteen, Liliana Vandersteen, Isabelle Vandersteen, Rita Dupont, Amoras II CVOH and WPG Uitgevers België* ................................................................. 135

**European Union**  
European Court of Justice (Ninth Chamber) · 21 October 2014 – Case No.C-348/13  
“BestWater” · *BestWater International GmbH v. Michael Mebes and Stefan Potsch* .................................................................................................................. 362

**European Union**  
European Court of Justice (Second Chamber) · 15 January 2015 – Case No. C-30/14  
“Ryanair” · *Ryanair Ltd v. PR Aviation BV* .................................................................................................................. 486
Decisions (cont’d)

European Union
European Court of Justice (Fourth Chamber) ·
22 January 2015 –
Case No. C-419/13

“Art & Allposters International” · Art & Allposters International BV v. Stichting Pictoright ................................................................. 257

European Union
European Court of Justice (Fourth Chamber) ·
22 January 2015 –
Case No. C-441/13

“Hejduk” · Pez Hejduk v. Energie Agentur.NRW GmbH ................... 363

European Union
European Court of Justice (Fourth Chamber) ·
26 February 2015 –
Case No. C-41/14

“Christie’s France” · Christie’s France SNC v. Syndicat national des antiquaires.................................................................................. 599

European Union
European Court of Justice (Fourth Chamber) · 5 March 2015 – Case No. C-463/12

“Copydan” · Copydan Båndkopi v. Nokia Danmark A/S ...................... 364

European Union
European Court of Justice (Ninth Chamber) ·
26 March 2015 –
Case No. C-279/13

“C More Entertainment” · C More Entertainment AB v. Linus Sandberg .................................................................................. 600

Austria
Supreme Court (Oberster Gerichtshof) ·
24 June 2014 –
Case No. 4Ob71/14s

“UPC Telekabel” · C. GmbH and W. GmbH v. U. GmbH ....................... 601

Austria
Supreme Court (Oberster Gerichtshof) ·
20 May 2015 – Case No. 4Ob82/14s

“YouTube’s Work Use Authorisation” (Werknutzungsbewilligung in YouTubes AGB) ................................................................. 137

Finland
Supreme Court (Korkein oikeus) ·
9 March 2015 – Case No. KKO 2015:17

“Verkkokauppa.com” · Säveltäjän Tekijänoikeustoimisto Teosto ry v. Arctecho OÜ and Verkkokauppa.com Oyj ........................................ 981
Table of Contents 2015

Decisions (cont’d)

France
Supreme Court (Cour de cassation) · 13 November 2014 – Case No. 13-22401

France
Supreme Court (Cour de cassation) (First Civil Chamber) · 15 January 2015 – Case No. 13-23566

France
Supreme Court (Cour de cassation) · 15 May 2015 – Case No. 13-27391

Slovakia
Constitutional Court (Ústavný súd SR) · 30 September 2014 – Case No. II. US 647/2014

Switzerland
Federal Supreme Court (Bundesgericht) · 28 November 2014 – Case No. 4A_295/2014

TRADE MARK LAW

European Union
European Court of Justice (Seventh Chamber) · 6 March 2014 – January 2014 – Joined Cases Nos. C-337/12 P to C-340/12 P

European Union
European Court of Justice (Fourth Chamber) · 5 June 2014 – Case No. C-360/12

“Yoshida Knives” · Pi-Design AG, Bodum France SAS, and Bodum Logistics A/S v. Yoshida Metal Industry Co. Ltd, and Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) ........................................ 992

“Coty Germany” · Coty Germany GmbH, formerly Coty Prestige Lancaster Group GmbH v. First Note Perfumes NV ........................................ 261
Decisions (cont’d)

European Union European Court of Justice (Third Chamber) · 19 June 2014 – Case Nos. C-217/13 and C-218/13

“Sparkassen-Red” · Oberbank AG (C-217/13), Banco Santander SA (C-218/13), Santander Consumer Bank AG (C-218/13) v. Deutscher Sparkassen- und Giroverband eV ................................................................. 370

European Union European Court of Justice (Second Chamber) · 18 September 2014 – Case No. C-205/13

“Hauck v. Stokke” · Hauck GmbH & Co. KG v. Stokke Nederland BV, Peter Opsvik and Peter Opsvik A/S ......................................................... 612

European Union European Court of Justice (Third Chamber) · 16 July 2015 – Case No. C-379/14

“TOP Logistics and others” · TOP Logistics BV, Van Caem International BV v. Bacardi & Company Ltd, Bacardi International Ltd, and Bacardi & Company Ltd, Bacardi International Ltd v. TOP Logistics BV, Van Caem International BV ................................................................. 735

European Union European Court of Justice (Fourth Chamber) · 16 July 2015 – Case No. C-580/13

“Coty Germany II” · Coty Germany GmbH v. Stadtsparkasse Magdeburg ........................................................................................................ 994

France Supreme Court (Cour de cassation) · 3 June 2014 – Case Nos. Appeal G/2013/19057; M20140363

“Troussepinette” · Christian O v. I. Cochain SARL ..................................................................................................................... 878

France Paris Court of Appeal Court (Cour d’appel) · 25 September 2013 – Case No. RG 2013/03904

“Mhajeb” · Asia Food Co. v. INPI ......................................................................................................................... 876

France Paris District Court (Tribunal de grande instance) · 30 May 2013 – Case No. RG 2010/01706

“Darjeeling” · The Tea Board (India) v. Placement Direct ................................................................................................. 868
### Decisions (cont’d)

**France**  
Paris District Court (Tribunal de grande instance) · 6 March 2014 – Case Nos. RG 2011/16210; M20140240

“Garum Armoricum” · *Compagnie Générale de Diététique v. Clavis* ........ 872

Rennes Court of Appeal (Cour d’appel) · 15 April 2014 – Case Nos. RG 2012/05938 and M20140215

“Converse III” · *Royer Sport SAS, Converse/Ne. (Etats-Unis) et All Star CV v. Auchan France SA, Sport Concept SAS, Cbs Diffusion et al.* ............... 736

**Germany**  
Federal Supreme Court (Bundesgerichtshof) · 22 May 2014 – Case No. I ZB 64/13

“ECR Award” ........................................................................................................... 263

Federal Supreme Court (Bundesgerichtshof) · 18 September 2014 – Case No. I ZR 228/12

“Langenscheidt Yellow” .......................................................................................... 372

**Italy**

Supreme Court · 20 September 2012 – Case No. 15958/12

“Bayerisches Bier” (Bavarian Beer) · *Bayerischer Brauerbund v. Bavaria Italia s.r.l. and Bavaria N.V.* ................................................................. 881

Supreme Court · 13 September 2013 – Case No. 21023/13

“Budweiser IV” · *Budweiser Budvar and Ministry of Agriculture v. Anheuser Busch* ......................................................................................... 888

Supreme Court · 19 September 2013 – Case No. 21472/13

“Budweiser V” · *Anheuser Busch Inc. and Birra Peroni spa v. Ministry of Agriculture, Kiem srl. and Italsug Trade srl* ........................................ 891

Supreme Court of Cassation, V Criminal Division (Suprema Corte di Cassazione, Sezione V Penale) · 13 May 2014 – Case No. 37451/2014

“Vorwerk Folletto” · *Vorwerk Folletto (as offended party in the criminal proceedings) v. Mr. M.* ........................................................................... 613
Decisions (cont’d)

Japan
Fukuoka District Court · 10 December 2012 – Case No. 2011 (Wa) No. 1188

People’s Republic of China
Supreme People’s Court · 12 August 2013 – Case No. (2013) Zhi Xing Zi No. 42

Spain
Supreme Court (Civil Chamber) · 14 October 2014 – Case No. 520/2014

Switzerland
Federal Supreme Court (Tribunal fédéral) · 20 May 2014 – Case No. 4A_41/2014

United Kingdom

Corrigendum
Supreme Court (Oberster Gerichtshof) · 20 May 2015 – Case No. 4Ob82/14h


“Haitang Bay” · Li Longfeng v. The PRC Trademark Review and Adjudication Board of the State Administration for the Industry and Commerce (TRAB) and The Management Committee of Haitang Bay, Hainan City ................................................................. 487

“DENSO” · Denso Holding GmbH & Co v. Productos Denso Play Cía, SL ............................................................................................................................... 617

“Red Cross” · A. SA v. Verein Schweizerisches Rotes Kreuz ................. 142

“Greek Yoghurt” · Fage UK Ltd. v. Chobani UK Ltd. ............................. 906

Corrigendum to: “YouTube’s Work Use Authorisation” (Werkuntzungsbewilligung in YouTubes AGB) ................................................................. 382