



Newsletter

Week LII 2024 – III 2025: 23rd December 2024 – 17th January 2025

Contact us

@ENDesk

Jacques René
Zammit
Press Officer
+352 4303 3355

Monica Pizzo
Assistant
+352 4303 3366

Desk Email
Press.ENdesk@curia.europa.eu

Niamh

Leneghan
assisted in the
preparation of
this Newsletter.

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All times are 9:30
unless otherwise
stated.

Week LII 2024 – 23th to 27th December

The Court is in Christmas recess until Sunday 05 January 2025.



Week II 2025 – 6th to 10th January

Wednesday 8th January

General Court

[Judgment in Case T-354/22 Bindl v Commission](#)

(Provisions governing the institutions – Data protection)

A citizen living in Germany complains that the Commission violated his right to the protection of his personal data during his consultations, in 2021 and 2022, of the website of the Conference on the Future of Europe, which is managed by the Commission.

The claimant asserts that, after registering on the site for the 'GoGreen' event via the Commission's EU Login authentication service and opting to log in using his Facebook account, his personal data—including his IP address and information about his browser and terminal—was unlawfully transferred to recipients in the United States.

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

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The interested party believes that during his visits to this website, personal data belonging to him was transferred to recipients established in the United States, in particular his IP address and information about his browser and terminal.

Specifically, the claimant alleges two distinct data transfers to different entities. First, he asserts that data was transferred to Amazon Web Services in its capacity as the operator of the content distribution network Amazon CloudFront, which supported the website.

Second, he alleges that data was transferred to Meta Platforms, Inc. when he used his Facebook account to register for the event.

The claimant contends that the United States does not provide an adequate level of data protection and that these transfers exposed him to the risk of unauthorized access by U.S. security and intelligence services. The Commission did not provide any appropriate guarantees to justify these transfers.

In this respect, he seeks payment of €400 as compensation for the non-material damage he allegedly suffered as a result of the disputed transfers.

He also seeks annulment of the transfers of his personal data, a declaration that the Commission unlawfully failed to take a position on a request for information and an order that the Commission pay him €800 in compensation for the non-material damage he suffered as a result of the infringement of his right of access to information.

[Background Documents T-354/22](#)

There will be a press release for this case.

Thursday 9th January

[Judgment in Case C-394/23 Mousse](#)

(Provisions governing the institutions – Data protection)

The Mousse association, an organisation which fights against gender discrimination, has lodged a complaint with the French data protection authority – National Commission on Informatics and Liberty (CNIL) – against the practice of the French rail company SNCF Connect, which requires its customers to indicate their gender ('Monsieur' or 'Madame') when purchasing tickets online.

It believes that this obligation violates the [General Data Protection Regulation](#) (GDPR), in particular the principles of data minimisation and accuracy, in the absence of a legal

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basis justifying this collection. At the very least, the association proposes adding alternative options such as 'neutral' or 'other'. In 2021, the CNIL rejected the complaint, considering that this practice did not constitute a breach of the GDPR.

Disapproving of this decision, the association referred the matter to France's Council of State, seeking to have the rejection overturned. The Council of State referred the case to the Court of Justice because it wished to know whether the collection of customers' personal data, limited to the words "Mr" and "Mrs", could be described as "lawful and compliant" with the principle of data minimisation.

It also wondered whether the necessity of the compulsory collection and subsequent processing of the data at issue could be assessed in the light of the fact that customers who considered that they did not fall within either of the two civilities could exercise their right to object to the use of such data.

[Background Documents C-394/23](#)

There will be a press release for this case.

Thursday 9th January

[Opinion in Case C-581/23 Beevers Kaas](#)

(Competition)

Beevers Kaas is the exclusive distributor in Belgium of Beemster cheese, which it purchases from the Dutch producer Cono. Since 1993, there has been an exclusive distribution agreement between Cono and Beevers Kaas for the distribution of Beemster cheese in Belgium and Luxembourg.

The Albert Heijn companies are active in the supermarket sector in Belgium and the Netherlands. They are buyers of Beemster cheese produced by Cono for markets outside Belgium and Luxembourg.

However, Beevers Kaas accuses the Albert Heijn companies of infringing honest market practices by engaging in activities which have the direct or indirect effect of infringing Beevers Kaas' exclusive rights in Belgium. The Albert Heijn companies deny this allegation and argue that Beevers Kaas and Cono are attempting to impose on them an active sales ban, which is prohibited.

Before the Belgian courts, the parties disagreed as to whether the exclusive distribution agreement complies with the conditions laid down in EU Regulation No 330/2010, in particular the condition known as the "parallel imposition requirement". This condition requires the supplier to protect its exclusive distributor against active selling into the exclusive territory by all its other distributors or buyers.

The Court of Appeal of Antwerp (Belgium) referred questions on this point to the Court of Justice of the European Union.

[Background Documents C-581/23](#)

There will be a press release for this case.

Week III 2025 – 13th to 17th January

Thursday 16th January

[Judgment in Case C-277/23 Ministarstvo financja \(Bourse Erasmus+\)](#)

(Citizenship of the Union)

Extract from [Advocate General Szpunar's Opinion of 4 July 2024](#):

The Erasmus programme (*EuRopean Action Scheme for the Mobility of University Students*) was designed with reference to a period during the Renaissance when students and intellectuals could move freely around Europe. It is thus named after the philosopher, philologist, theologian and humanist Erasmus of Rotterdam (1469-1536) who, seeing himself as a citizen of the world, lived and worked in several regions of Europe. He believed that it was only his links with other countries that provided him with the knowledge, experience and ideas that formed the subject of his studies.

Since being established in 1987, the Erasmus programme has enabled several generations of young students to move freely within the EU for educational purposes, thereby contributing to bringing the peoples of the Union closer together. It has also paved the way for the 'Europe of education', an inseparable part of the Europe of citizens, and subsequently, of citizenship of the Union. Today, the Erasmus + programme contributes to achieving EU cooperation in the key areas of education and training, which are closely linked to the EU's economic and social development, and to promote the EU's values, in accordance with Article 2 TEU. And what of the future? In the future, the programme must continue to encourage student mobility as an objective in the public interest, and to consolidate EU values. Let us not forget that 'democracy in the EU needs an educational substratum'.

In the present case, the Court of Justice is essentially being asked to interpret Articles 18, 20, 21 and 165 TFEU. In essence, an answer is required to the decisive questions raised before the referring court, the Ustavni sud Republike Hrvatske (Constitutional Court, Croatia), which may be summarised as follows: can the receipt of an Erasmus grant by a student who is a national of a Member State benefit, in part,

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the tax authorities of that Member State? Does the unfavourable tax treatment of a tax-paying parent accord with the objective of the Erasmus + programme, which is to encourage student mobility?

The present reference for a preliminary ruling therefore gives the Court the opportunity to consider student mobility once again, against the backdrop of a Member State's legislation on certain tax advantages, building on the Court's case-law on the free movement of students.

[Background Documents C-277/23](#)

There will be a press release for this case.

HEARINGS OF NOTE*

Court of Justice

Tuesday 07th January 2025: 09:30 – Case [C-521/21 Rzecznik Praw Obywatelskich \(Recusal of a judge of ordinary jurisdiction\)](#) (Provisions governing the institutions – Fundamental rights)

(streamed on Curia)

Wednesday 8th January 2025: 09:30 – Case [C-632/23 Commission v Bulgaria \(Forest land exchanges II\)](#) (Competition – State Aid)

Thursday 9th January 2025: 09:30 – Case [C-798/23 Abbottly](#) (Area of freedom, security and justice - Judicial Cooperation in Criminal Matters)

Tuesday 14th January 2025: 09:30 – Case [C-590/23 Pelham \(Notion of “pastiche”\)](#) (Approximation of laws – Intellectual, industrial and commercial property) **(streamed on Curia)**

Wednesday 15th January 2025: 09:30 – [C-87/24 Gaso and Conexus Baltic Grid](#) (Energy)

Thursday 16th January 2025: 09:30 – Case [C-726/23 Arcomet Towercranes](#) (Taxation – VAT)

Thursday 16th January 2025: 09:30 – Case [C-21/24 Nissan Iberia](#) (Competition)

General Court

Tuesday 07th January 2025: 09:30 – Case [T-502/23 Anwar Akkad v Council](#) (Restrictive measures – Syria)

Wednesday 15th January 2025: 09:30 – [Case T-342/23 Aquind v ACER](#) (Provisions Governing the Institutions - Energy)

Newsletter

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Thursday 16th January 2025: 09:30 – Case [T-366/23 YH v ECB](#) (Economic and Monetary Policy)

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

