

**Parties to the main proceedings**

*Applicant:* José Luis Núñez Torreiro

*Defendants:* AIG Europe Limited, Sucursal en España, formerly Chartis Europe Limited, Sucursal en España, Unión Española de Entidades Aseguradoras y Reaseguradoras (Unespa)

**Operative part of the judgment**

The first paragraph of Article 3 of Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability, must be interpreted as precluding national legislation, such as that at issue in the main proceedings, which makes it possible to exclude from compulsory insurance cover injuries and damage that result from the driving of motor vehicles on roads or terrain that are not 'suitable for use by motor vehicles', with the exception of roads or terrain which, although not suitable for that purpose, are nonetheless 'ordinarily so used'.

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<sup>(1)</sup> OJ C 305, 22.8.2016.

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**Judgment of the Court (Sixth Chamber) of 20 December 2017 — Trioplast Industrier AB v European Commission**

**(Case C-364/16 P) <sup>(1)</sup>**

**(Appeal — Agreements, decisions and concerted practices — Market in industrial plastic bags — Formal notice from the European Commission to the appellant for the payment of default interest on the amount of the fine imposed — Action for annulment and for damages)**

(2018/C 072/20)

Language of the case: English

**Parties**

*Appellant:* Trioplast Industrier AB (represented by: T. Pettersson, F. Sjövall and A. Johansson, advokater)

*Other party to the proceedings:* European Commission (represented by: V. Bottka and P. Rossi, Agents)

**Operative part of the judgment**

*The Court:*

1. Dismisses the appeal;
2. Orders Trioplast Industrier AB to pay the costs.

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<sup>(1)</sup> OJ C 343, 19.9.2016.

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**Judgment of the Court (First Chamber) of 20 December 2017 (request for a preliminary ruling from the Oberlandesgericht München — Germany) — Soha Sahyouni v Raja Mamisch**

**(Case C-372/16) <sup>(1)</sup>**

**(Reference for a preliminary ruling — Area of freedom, security and justice — Regulation (EU) No 1259/2010 — Enhanced cooperation in the area of the law applicable to divorce and legal separation — Recognition of a private divorce obtained before a religious court in a third country — Scope of that regulation)**

(2018/C 072/21)

Language of the case: German

**Referring court**

Oberlandesgericht München

**Parties to the main proceedings**

Applicant: Soha Sahyouni

Defendant: Raja Mamisch

**Operative part of the judgment**

Article 1 of Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation must be interpreted as meaning that a divorce resulting from a unilateral declaration made by one of the spouses before a religious court, such as that at issue in the main proceedings, does not come within the substantive scope of that regulation.

<sup>(1)</sup> OJ C 343, 19.9.2016.

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**Judgment of the Court (Second Chamber) of 20 December 2017 (request for a preliminary ruling from the Bundesgerichtshof — Germany) — Comité Interprofessionnel du Vin de Champagne v Aldi Süd Dienstleistungs-GmbH & Co. OHG, represented by Aldi Süd Dienstleistungs-GmbH, formerly Aldi Einkauf GmbH & Co. OHG Süd**

(Case C-393/16) <sup>(1)</sup>

*(Reference for a preliminary ruling — Common organisation of the markets in agricultural products — Protection of protected designations of origin (PDOs) — Regulation (EC) No 1234/2007 — Article 118m(2)(a)(ii), (b) and (c) — Regulation (EU) No 1308/2013 — Article 103(2)(a)(ii), (b) and (c) — Scope — Exploitation of the reputation of a PDO — Misuse, imitation or evocation of a PDO — False or misleading indication — PDO ‘Champagne’ used in the name of a foodstuff — The name ‘Champagner Sorbet’ — Foodstuff containing champagne as an ingredient — Ingredient conferring on the foodstuff an essential characteristic)*

(2018/C 072/22)

Language of the case: German

**Referring court**

Bundesgerichtshof

**Parties to the main proceedings**

Applicant: Comité Interprofessionnel du Vin de Champagne

Defendant: Aldi Süd Dienstleistungs-GmbH & Co. OHG, represented by Aldi Süd Dienstleistungs-GmbH, formerly Aldi Einkauf GmbH & Co. OHG Süd

Intervener in support of the defendant: Galana NV

**Operative part of the judgment**

1. Article 118m(2)(a)(ii) of Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), as amended by Council Regulation (EC) No 491/2009 of 25 May 2009, and Article 103(2)(a)(ii) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 October 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 are to be interpreted as meaning that the scope of those provisions covers a situation where a protected designation of origin, such as ‘Champagne’, is used as part of the name under which a foodstuff is sold, such as ‘Champagner Sorbet’, and where that foodstuff does not correspond to the product specifications for that protected designation of origin but contains an ingredient which does correspond to those specifications.