

CJEU: Austro-Mechana v. Amazon, Court of Justice of the European Union, C-572/14, 21 April 2016

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In this decision, the CJEU tackled an international jurisdiction issue, since what was essentially under debate in the main proceedings was the applicability of Article 5(3) of Regulation 44/2001 on jurisdiction in civil and commercial matters, which enables, in matters relating to tort, delict or quasi-delict, persons domiciled in one Member State to be sued in the courts of another Member State where the harmful event occurred. The CJEU was asked to rule on the legal nature of the obligation to pay fair compensation for private copying and, specifically whether it fell within "matters relating to tort, delict or quasi-delict". The CJEU concluded that a claim for payment of compensation that is owed by virtue of a national law that applies the system of fair compensation regulated in Article 5(2)(b) of Directive 2001/29/EC does fall within "matters relating to tort, delict or quasi-delict" within the meaning of Article 5(3) of Regulation 44/2001.

A full summary of this case has been published on [Kluwer IP Law](#)