
Kluwer Copyright Blog

EGEDA et al. against private copying levy, Supreme Court of Spain, Third Contentious-Administrative Law Chamber, Judgment no. 2394/2016, 10 November 2016

Patricia Mariscal (Elzaburu) · Tuesday, December 20th, 2016

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

The Spanish Supreme Court annulled some of the rules regulating the system of financing fair compensation for private copying through the General State Budget on the grounds that they are incompatible with EU law. The system that had been in place until now was analysed by the CJEU through a number of questions referred by the Supreme Court for a preliminary ruling, which arrived on 9 June 2016. The Supreme Court's judgment has left a legal vacuum that will have to be filled by the Spanish Government in the coming months and will likely involve a return to the former levy system.

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