Kluwer Copyright Blog

CJEU: Microsoft Mobile Sales International, European Court of Justice (ECJ), C-110/15, 22 September 2016

Sophia Urlich (Institute for Information Law (IViR)) · Wednesday, June 28th, 2017

A full summary of this case has been published on Kluwer IP Law and the case has been discussed on the Kluwer Copyright Blog here.

The CJEU held that EU law, particularly Article 5(2)(b) of Directive 2001/29, precludes national legislation that subjects exemption from payment of the private copying levy for producers and importers of devices and media intended for use clearly unrelated to private copying to the conclusion of private law agreements, and provides that the reimbursement of such a levy may be requested only by the final user of such devices and media.

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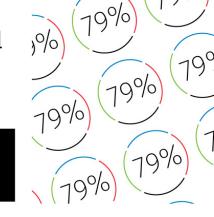
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