European Union

“Pinckney”

Council Regulation (EC) No. 44/2001 of 22 December 2000 on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters, Art. 5(3) – *Peter Pinckney v. KDG Mediatech AG*

**Decision of the European Court of Justice (Fourth Chamber)
3 October 2013 – Case No. C-170/12**

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1. Article 5(3) of Council Regulation (EC) No. 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters must be interpreted as meaning that, in the event of alleged infringement of copyrights protected by the Member State of the court seised, the latter has jurisdiction to hear an action to establish liability brought by the author of a work against a company established in another Member State and which has, in the latter State, reproduced that work on a material support which is subsequently sold by companies established in a third Member State through an internet site also accessible with the jurisdiction of the court seised. That court has jurisdiction only to determine the damage caused in the Member State within which it is situated.

Available at <http://curia.europa.eu>.

For more on this decision, see the case note by Martin Husovec in this issue of *IIC* doi:[10.1007/s40319-014-0192-0](https://doi.org/10.1007/s40319-014-0192-0)