European Union

“Innoweb”

Directive No. 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the Legal Protection of Databases, Art. 7(1) and (5) – *Innoweb BV v. Wegener ICT Media BV and Wegener Mediaventions BV*

**Decision of the European Court of Justice (Fifth Chamber)
19 December 2013 – Case No. C-202/12**

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1. Article 7(1) of Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases must be interpreted as meaning that an operator who makes available on the Internet a dedicated meta search engine such as that at issue in the main proceedings re-utilises the whole or a substantial part of the contents of a database protected under Article 7, where that dedicated meta engine:
 - provides the end user with a search form which essentially offers the same range of functionality as the search form on the database site;
 - ‘translates’ queries from end users into the search engine for the database site ‘in real time’, so that all the information on that database is searched through; and
 - presents the results to the end user using the format of its website, grouping duplications together into a single block item but in an order that reflects criteria comparable to those used by the search engine of the database site concerned for presenting results.

Official headnotes.

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