European Union

“Hejduk”

**Decision of the European Court of Justice (Fourth Chamber)
22 January 2015 – Case No. C-441/13**

Pez Hejduk v. Energie Agentur.NRW GmbH

Regulation (EC) No. 44/2001, Art. 5(3)

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Keywords Jurisdiction · Dematerialised content · Placing online ·
Place of the event giving rise to the damage

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 an allegation of infringement of copyright and rights related to copyright guaranteed by the Member State of the court seized, that court has jurisdiction, on the basis of the place where the damage occurred, to hear an action for damages in respect of an infringement of those rights resulting from the placing of protected photographs online on a website accessible in its territorial jurisdiction. That court has jurisdiction only to rule on the damage caused in the Member State within which the court is situated.

Official Headnotes.

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