European Union

“Dimensione Direct Sales and Labianca”

Decision of the European Court of Justice (Fourth Chamber)
13 May 2015 – Case No. C-516/13

Dimensione Direct Sales Srl, Michele Labianca v. Knoll International SpA

Directive 2001/29/EC, Art. 4(1)

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Keywords Distribution right · Concept of “distribution to the public” · Offer for sale and advertising · Non-consented reproductions · Offer or advertising not leading to the purchase of the original or copies of a protected work

1. Article 4(1) of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society must be interpreted as meaning that it allows a holder of an exclusive right to distribute a protected work to prevent an offer for sale or a targeted advertisement of the original or a copy of that work, even if it is not established that that advertisement gave rise to the purchase of the protected work by an EU buyer, in so far as that advertisement invites consumers of the Member State in which that work is protected by copyright to purchase it.

Official headnotes.

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