European Union

“Thomas Philipps”

**Decision of the European Court of Justice (Seventh Chamber)
22 June 2016 – Case No. C-419/15**

*Thomas Philipps GmbH & Co. KG v. Grüne Welle
Vetriebs GmbH*

Regulation (EC) No 6/2002, Arts. 32, 33

© Max Planck Institute for Innovation and Competition, Munich 2017

Keywords Licence · Register of community designs · Right to bring proceedings · Infringement

1. The first sentence of Article 33(2) of Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs must be interpreted as meaning that the licensee may bring proceedings alleging infringement of a registered Community design which is the subject of the licence although that licence has not been entered in the register of Community designs.
2. Article 32(3) of Regulation No 6/2002 must be interpreted as meaning that the licensee can claim damages for its own loss in proceedings for infringement of a Community design brought by it in accordance with that provision.

For more on this matter *see* the editorial by Jacques de Werra in this issue of IIC at doi:[10.1007/s40319-017-0572-3](https://doi.org/10.1007/s40319-017-0572-3).

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