

## European Union

### “Austro-Mechana”

**Decision of the European Court of Justice (First Chamber)  
21 April 2016 – Case No. C-572/14**

*Austro-Mechana Gesellschaft zur Wahrnehmung  
mechanisch-musikalischer Urheberrechte GmbH v.  
Amazon EU Sàrl, Amazon Services Europe Sàrl,  
Amazon.com GmbH, Amazon Logistik GmbH, and  
Amazon Media Sàrl*

**Regulation (EC) No. 44/2001, Art. 5(3); Directive  
2001/29/EC, Art. 5(2)(b)**

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**Keywords** Jurisdiction · Reproduction right · Exceptions and limitations · Private copy · Fair compensation · Non-payment

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 a claim seeking to obtain payment of remuneration due by virtue of a national law, such as that at issue in the main proceedings, implementing the ‘fair compensation’ system provided for in Article 5(2)(b) 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, falls within ‘matters relating to tort, delict or quasi-delict’, within the meaning of Article 5(3) of that regulation.