European Union

“Bastei Lübbe”

**Decision of the European Court of Justice (Third Chamber)
18 October 2018 – Case No. C-149/17**

Bastei Lübbe GmbH & Co. KG v. Michael Strotzer

**Directive 2001/29/EC; Directive 2004/48/EC; Charter
of Fundamental Rights of the European Union, Art, 7**

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Article 8(1) and (2) 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, read in conjunction with Article 3(1) thereof, and Article 3(2) of Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights must be interpreted as precluding national legislation, such as that at issue in the main proceedings, under which, as interpreted by the relevant national courts, the owner of an internet connection used for copyright infringements through file-sharing cannot be held liable to pay damages if he can name at least one family member who might have had access to that connection, without providing further details as to when and how the internet was used by that family member.