European Union

“Coty Germany”

**Decision of the European Court of Justice (Fifth Chamber)
2 April 2020 – Case No. C-567/18 (ECLI:EU:C:2020:267)**

*Coty Germany GmbH v. Amazon Services Europe Sàrl,
Amazon Europe Core Sàrl, Amazon FC Graben GmbH,
Amazon EU Sàrl*

**Regulation (EC) No. 207/2009, Art. 9(2)(b); Regulation
(EU) 2017/1001, Art. 9(3)(b)**

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Keywords Rights conferred by a trade mark · Use · Stocking of goods for the purposes of offering them or putting them on the market · Storage with a view to dispatching goods sold in an online marketplace which infringe trade mark rights · Infringements

Article 9(2)(b) of Council Regulation (EC) No 207/2009 of 26 February 2009 on the [European Union] trade mark and Article 9(3)(b) of Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark must be interpreted as meaning that a person who, on behalf of a third party, stores goods which infringe trade mark rights, without being aware of that infringement, must be regarded as not stocking those goods in order to offer them or put them on the market for the purposes of those provisions, if that person does not itself pursue those aims.

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