

## **EFTA COURT**

**Action brought on 17 December 2015 by the EFTA Surveillance Authority against Iceland.**

**(Case E-31/15)**

An action against Iceland was brought before the EFTA Court on 17 December 2015 by the EFTA Surveillance Authority, represented by Carsten Zatschler, Øyvind Bø and Íris Ísberg, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to:

- 1. Declare that Iceland has failed to fulfil its obligations under the Act referred to at point 9f of Annex XVII to the Agreement on the European Economic Area, (Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 amending Directive 2006/116/EC on the term of protection of copyright and certain related rights), as adapted to the Agreement by way of Protocol 1 thereto, and under Article 7 of the Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed, or in any event by failing to inform the EFTA Surveillance Authority thereof.**
- 2. Order Iceland to bear the costs of these proceedings.**

*Legal and factual background and pleas in law adduced in support:*

- The application addresses Iceland's failure to comply, no later than 8 June 2015, with a reasoned opinion delivered by the EFTA Surveillance Authority on 8 April 2015 regarding that State's failure to implement into its national legal order *Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 amending Directive 2006/116/EC on the term of protection of copyright and certain related rights*, as referred to at point 9f of Annex XVII to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto ("the Act").
- The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under the Act and under Article 7 of the EEA Agreement by failing to adopt the measures necessary to implement the Act within the time prescribed.