

New Reference for Preliminary Ruling on Brussels I

A new reference regarding the Brussels I Regulation is pending at the ECJ. The *Bundesgerichtshof* (Germany) has referred the following questions for a preliminary ruling:

Is the second indent of Article 5(1)(b) 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 to be interpreted as meaning that in the case of journeys by air from one Member State to another the single place of performance for all contractual obligations must be taken to be the place of the main provision of services, determined according to economic criteria?

Where a single place of performance is to be determined: What criteria are relevant for its determination; is the single place of performance determined, in particular, by the place of departure or the place of arrival?

The case is pending as *Peter Rehder v Air Baltic Corporation* (Case C-204/08).

The referring decision of 22 April 2008 (X ZR 76/07) can be found at the website of the *Bundesgerichtshof*.