

СЪД НА ЕВРОПЕЙСКИЯ СЪЮЗ  
TRIBUNAL DE JUSTICIA DE LA UNIÓN EUROPEA  
SOUDNÍ DVŮR EVROPSKÉ UNIE  
DEN EUROPÆISKE UNIONS DOMSTOL  
GERICHTSHOF DER EUROPÄISCHEN UNION  
EUROOPA LIIDU KOHUS  
ΔΙΚΑΣΤΗΡΙΟ ΤΗΣ ΕΥΡΩΠΑΪΚΗΣ ΕΝΩΣΗΣ  
COURT OF JUSTICE OF THE EUROPEAN UNION  
COUR DE JUSTICE DE L'UNION EUROPÉENNE  
CÚIRT BHREITHIÚNAIS AN AONTAIS EORPAIGH  
CORTE DI GIUSTIZIA DELL'UNIONE EUROPEA  
EIROPAS SAVIENĪBAS TIESA



LUXEMBOURG

EUROPOS SAJUNGOS TEISINGUMO TEISMAS  
AZ EURÓPAI UNIÓ BÍRÓSÁGA  
IL-QORTI TAL-GUSTIZZJA TAL-UNJONI EWROPEA  
HOF VAN JUSTITIE VAN DE EUROPESE UNIE  
TRYBUNAŁ SPRAWIEDLIWOŚCI UNII EUROPEJSKIEJ  
TRIBUNAL DE JUSTIÇA DA UNIÃO EUROPEIA  
CURTEA DE JUSTIȚIE A UNIUNII EUROPENE  
SÚDNY DVOR EURÓPSKEJ ÚNIE  
SODIŠČE EVROPSKE UNIJE  
EUROOPAN UNIONIN TUOMIOISTUIN  
EUROPEISKA UNIONENS DOMSTOL

## **E-CURIA: CONDITIONS OF USE**

### **applicable to parties' representatives**

1. e-Curia is an information technology application which allows procedural documents to be lodged and served electronically. It also allows such documents to be consulted on-line.
2. Users are asked to read the following information carefully and to indicate their acceptance of the undertakings set out at the end of this document.
3. Every e-Curia page contains precise information on the steps to be followed and an on-line Help facility which is accessible via the (?) icon.

## **ACCESS TO E-CURIA**

4. Access to e-Curia is free of charge.
5. e-Curia is common to the three constituent courts of the Court of Justice of the European Union. An access account opened by the Registry of one of those courts is equally valid as regards the Registries of the other two courts.
6. Without prejudice to compliance with the provisions of Article 19 of the Protocol on the Statute of the Court of Justice of the European Union and those relating to the admissibility of actions, agents and lawyers authorised to practise before a court of a Member State or of another State party to the Agreement on the European Economic Area may apply for an account to be opened giving them access to all the functionalities of e-Curia. Once such an account has been opened, they may use e-Curia in every case in which they have been appointed as a representative.
7. The application form for the opening of an account, which is available on the website of the Court of Justice via the e-Curia login page, must be completed, printed, dated and signed, and then sent by post to the Registry of one of the three courts, accompanied by the necessary supporting documents. The transmission of those documents does not relieve representatives of the

obligation to lodge in each case the supporting documents required by the procedural rules applicable to the proceedings concerned.

8. Once the application has been validated by the Registry of the Court/Tribunal concerned, two separate e-mails will be sent to the user. The first informs the user of his user identification and the second, of his personal password. The user must change that password when he first logs on to e-Curia and, thereafter, at least once every six months.
9. In addition, representatives may also apply for an account to be opened for every assistant designated by name. This account allows the assistant to receive documents served, to consult procedural documents lodged or served by means of e-Curia and to prepare the lodgment of a document, which lodgment, once prepared, must be validated by the representative. The representative is responsible for the use of this account and is required regularly to update the list of his assistants and, in particular, in the event of a change in professional responsibilities or termination of activity to cancel any account that he assigned to his assistant(s).
10. An access account which remains unused for a period of three years will be deactivated automatically. In that event, a fresh application for the opening of an account will be required.

## **E-CURIA FUNCTIONALITIES**

### **Lodging of procedural documents**

11. e-Curia allows representatives to lodge procedural documents (together with any annexes) electronically, without the need for such lodging to be confirmed by post. As a rule, the lodging of a procedural document by means of e-Curia means that the representative will lodge subsequent documents in the same case in the same way. However, the lodging of a procedural document by means of e-Curia in a case does not preclude a document from being lodged subsequently in the same case by any other means of transmission provided for by the procedural rules applicable, if so required by the nature of the document concerned.
12. An assistant holding an access account may also prepare the lodgment of a document on behalf of a representative. In that case, the representative will be required to enter his password personally in order to validate lodgment.
13. Procedural documents lodged by means of e-Curia must be transmitted in PDF format (image and text).
14. Documents transmitted to the Courts of the European Union are checked to ensure that transmission is secure. If such checks reveal an anomaly, lodgment will be refused.
15. In the event of any malfunction during the transmission of a procedural document, the user is invited to inform the Registry of the Court/Tribunal concerned immediately. To avoid any delay in lodging the procedural document concerned, the document will, if necessary, have to be lodged by

one of the other means of transmission provided for, following the procedural rules applicable.

16. Confirmation of lodgment stating, inter alia, the date and time of lodgment will be sent to the user. The point in time taken into account for the lodging of a procedural document is that of the representative's validation of lodgment of that document. The relevant time is that in the Grand Duchy of Luxembourg. That time is displayed on all e-Curia pages.
17. Since the length of time involved in the operations of preparing lodgment of documents and uploading files can vary, users are advised not to wait until the very last minute before expiry of a time-limit before starting to prepare the lodgment of a document.
18. Confirmation of lodgment is without prejudice to the procedural admissibility of the documents transmitted.
19. The transmission of procedural documents is automatically encrypted. Every procedural document lodged is given a digital signature unique to that document, in accordance with a standard hashing procedure (SHA-512). That digital signature appears in the confirmation of lodging which users are advised to retain in electronic format for the duration of the case. It is possible at any time to check that a procedural document has not been altered or amended; any change to that document will result in the allocation of a new digital signature.

### **Service of procedural documents**

20. e-Curia allows the constituent courts of the Court of Justice of the European Union to serve procedural documents electronically.
21. Where a representative has lodged a document in a case by means of e-Curia, any documents to be served in connection with that case will, as a rule, be sent to him by means of e-Curia. Irrespective of the representative's chosen method of lodgment, service of documents will also be effected by means of e-Curia where, in accordance with the requirements of the Rules of Procedure applicable, the representative has expressly agreed to accept service of documents by electronic means for the purpose of a particular case.
22. The user is notified by e-mail when a procedural document awaiting service is available in e-Curia. The same notice appears as soon as the user logs on to e-Curia.
23. Where a party is represented by more than one representative holding an access account, an e-mail confirming that a procedural document is awaiting service is sent to each representative and, if applicable, to any assistants designated by them. The same notice will appear when logging on to e-Curia.
24. The user is advised to consult and print as soon as possible the procedural document of which he is the intended recipient. The date and time of service is the point in time at which the user requests access to the procedural document. The relevant time is that in the Grand Duchy of Luxembourg. Where a party is represented by more than one agent or lawyer, the point in time taken into

account in the reckoning of time-limits is that when the first request for access was made.

25. A procedural document is, however, deemed to have been served on the expiry of the seventh day following the day on which an e-mail was sent to the user notifying him of the availability of the document in e-Curia. Users are advised to log on to e-Curia at least once a week.
26. The date of actual or presumed service of a procedural document is stated in e-Curia. In the event of presumed service, a further e-mail is sent to the user to notify him of the date of service.
27. If any difficulties arise in relation to access to a procedural document, users are invited to inform the Registry of the Court or Tribunal concerned immediately.

### **Consultation of procedural documents**

28. e-Curia also allows the user to consult the documents which he has lodged or which have been served on him by means of e-Curia in respect of all the cases in which he is involved.
29. The procedural documents in a case may be consulted until the expiry of a period of three months from the date of the decision closing that case in the Court/Tribunal concerned.

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### **UNDERTAKINGS TO BE GIVEN BY THE REPRESENTATIVE**

**You are requested to indicate your acceptance of the following undertakings, breach of which may result in deactivation of your access account:**

I have taken note of how e-Curia operates, as described above, and I expressly undertake:

- Not to inform third parties of my user identification and password; any process carried out using that user identification and password will be deemed to have been carried out by me;
- To give notice immediately of any change of my e-mail address, the termination of my professional activity or a change in my responsibilities;
- To accept service by means of e-Curia of procedural documents relating to a case if I have lodged a procedural document by means of e-Curia in that case;
- To log on regularly to e-Curia and to consult the procedural documents awaiting service of which I am the intended recipient; I accept that, in the event of my failure to consult any such document, it will be deemed to have been served on me on the expiry of the seventh day following the day on which an e-mail was sent to notify me of the availability of that document in e-Curia;

- To update regularly the list of any assistants I may have and, in particular, in the event of a change in professional responsibilities or termination of activity to cancel any accounts that I have assigned to them.

Done at Luxembourg, on 11 October 2011.

A. CALOT ESCOBAR

E. COULON

W. HAKENBERG