

6. Is the provision of Article 4(6) of the Law on Data protection, according to which 'the right of access of the data subject pursuant to Article 15 of the GDPR, as a rule, does not (exist) vis-à-vis the controller if the provision of such information would violate a business or trade secret of the controller or third parties' compatible with the requirements of Article 15(1) in conjunction with Article 22(3) of the GDPR? If the above question is answered in the affirmative, what are the conditions for such compatibility?

(¹) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ 2016 L 119, p. 1).

(²) Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ 2016 L 157, p. 1).

Request for a preliminary ruling from the Tribunale ordinario di Bologna (Italy) lodged on 24 March 2022 — OV v Ministero Interno — Unità Dublino

(Case C-217/22)

(2022/C 222/31)

Language of the case: Italian

Referring court

Tribunale ordinario di Bologna

Parties to the main proceedings

Applicant: OV

Defendant: Ministero Interno — Unità Dublino

Question referred

1. Must Articles 4 and 5 of Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013, (¹) particularly in view of the right to an effective remedy laid down in Article 27 of that regulation, be interpreted as meaning that the applicant, who has challenged before the courts of the *requesting* State the transfer decision adopted by the Dublin Unit of that State in the context of a take back procedure under Article 18(1)(b), is entitled to invoke the infringement by the *requested* State of the duty to provide information laid down in Article 4 or of the obligation to arrange a personal interview with the applicant under Article 5 of that regulation, and if the answer is in the affirmative, what is the relevance of such an infringement?

(¹) Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ 2013 L 180, p. 31).

Appeal brought on 5 April 2022 by European Commission against the judgment of the General Court (Fourth Chamber, Extended Composition) delivered on 26 January 2022 in Case T-286/09 RENV, Intel Corporation v Commission

(Case C-240/22 P)

(2022/C 222/32)

Language of the case: English

Parties

Appellant: European Commission (represented by: F. Castillo de la Torre, N. Khan, M. Kellerbauer and C. Sjödin, Agents)