

?????????? ??? ??????? ????????????

JULIANE KOKOTT

??? 20?? ?????? 2013 (1)

?????? C?319/12

**Minister Finansów**

????

**MDDP Sp. z o.o. Akademia Biznesu, Sp. komandytowa**

[?????? ??? Naczelnego S?d Administracyjny (???????) ??? ?? ?????? ?????????????? ????]  
????????]

«?????????? ????????? – ??? ?????????????? ????? – ??? 132, ?????????? 1, ???????  
??, ??? ??????? 2006/112/?? – ?????????? ??? ??? ??? ?????????????? ?????? ??????  
????????? ????????? – ??? ??????????»

I – ????????

1. ?????? ?????? ?? ?????? ??? ?????? ?????????????? ?????? ??? ??????? ??????  
?????????. ?????? ?????? ?? ?????? ??? ?????? ?????????? ?? ?????? ?????? ?????? ? ??????  
????????? ??? ??????? ?? ?????? ?????????? ? ?????? ?????? ?????? ?????????????? ???????????.  
??? ?????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????????????? ?????? ?????? ??  
????????????? ??? ? ?????????????? ??? ??? ?????????? ?????? ??? ??? ?????? . ? ?????? ??? ??????  
????? ??? ??? ?????? ??? ?? ?????????? ?????????? ?? ?????? ???' ?????? ?????? ???  
????????????? ??? ??? ?????? ???????????. ?? ?? ??????, ?????????? ?? ?????? ???  
????????? ??? ?????????????? ? ?????? ??? ?????????????? ??? ??? ???, ?????? ???  
????????? ??? ?? ?????? ??? ?????? ?????????? ??? ?????????????? ??? ??? ???, ?????? ???  
????????? ??? ?? ?????? ??? ?????? ?????????? ??? ?????????? ??? (2).

2. ?? ??? ?????? ?????? ?????????????? ?????????? ?????????? ?????????? ?? ??????  
???????, ??????, ??? ?????????? ??? ?????????????? ?????? ?????? ??? ??? ??????. ???????,  
?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ?????? ?????????? ??? ?????? ?? ??????  
????? ??? ?????? ??? ?????????? ??? ?????????? ?????? ?????????????? ?????????? ?? ??????  
????????????? ??? ??? ??? ?????????????? ??????. ?????????? ??? ?? ?????????? ???  
?????? ??? ?????? ??? ?????? ?? ?????????? ?????? ??? ?????? ?????????? ??? ?????? ??? ??  
????????????? ??????????, ??? ?????? ??? ?? ?????? ?????? ?????? ??? ?????? ??? ?????? ???  
?????, ? ?????????? ??????, ??? ??? ??? ??????????, ? ?????? ??? ?????????? ??? ??????????  
????????? ?? ??? ?????? ?????????? ??????????.

3. E????????? ?????? ?????? ?? ??? ?????? ?????? ?????? ?? ?? ?????????????? ??????  
????????????? ?????????? ??? ?????????? ?????? ?????????? ??? ?????? ?????? ??? ?????? ???  
??? ?????????????? ??? ??? ??? ?????? ???????????. ?????????, ?????? ?? ?????????????? ??

?????????? ?? ??? ????? ?????????????? ??? ????? ?????? ?? ?????????????? ?? ??? ??????????

??? ?????????????? ??? ????? ?? ??????? ??? ?????? ?????????????? ??? ?????? ?????????? ???

????????????? ?? ?????????? ?? ?????????? ??????????, ??? ?????? ?????? ?? ?????????? ??????????

???? ?????????? ?????????????? ?????????????? ??? ?????? ?????? ?????????? ??? ??? ??????

????????? ?????????????? ?? ?????????????? ??? ?????? ???' ?????????? ??? ?????????? ???

????????? ??????????.

## II – ?????? ???????

? – ?? ?????? ??? ??????

4. ? ??????? ??? ????? ?????????????? ??? ?????? ??? ?????? ?????????????? ??? ??? ??????

2006/112/?? ??? ???????????, ??? 28?? ?????????? 2006, ??????? ?? ?? ?????? ?????????? ????

????????????? ??? (3) (??? ????: ?????? ????). ?? ??????? ?????????? ??? ??????

?????? ?????????????? ??? «????????? ?????????? ?????????????? ?????????? ??????????».

????? ??? ?????????? ?????? ??? ?? ?????? 132, ?????????? 1, ?????????? ?, ?????? ???

????? ?? ?????? ??? ?????????????? ??? ?????????? ?????? ?????? ??? ?????? ??????????????

?????:

«??? ?????????? ??? ??????? ? ??? ???, ?? ??????? ? ?????????????? ???????????, ???

????????????? ???, ?????????? ? ?????????????? ?????? ??? ??? ??????

????????? ?? ??? ?????? ?????????? ??? ?????????? ?????? ???????, ?? ??????????????????

??? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ?????? ?????? ??? ?????? ???

????????? ??? ?? ?????????? ?????? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ?????????? ???

?????».

5. ??????? ??? ?????? 133 ??? ??????? ???, ?? ?????? ??? ?????? ??? ??????? ?? ???????,

?????? ??? ??? ???????, ??? ? ??????? «?? ???????????, ??? ??? ??? ???????????

?????? ???, ??? ??? ??? ??????? ??? ?????????? ??? ?????????????? [...] ?????????? ??? ???

????? ??? ? ?????????? ??? ??? ?????? ??????????:

?) ?? ?? ??? ?????????? ??? ?????? ?? ?????? ?? ?????? ?? ?????????? ??? ??????? ???

??????, [...]

[...]»

6. ?? ?????? 134 ??? ??????? ??? ?????? ??? ?????????? ???????????, ?????? ??????, ???

????????? ??? ?????? 132, ?????????? 1, ?????????? ?:

«?? ?????????? ??? ?????? ?? ?????? ?????????? ?????????????? ??? ??? ?????? [...] ???

????????? ??? ??????????:

?) ?????? ??? ?????? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????????? ??? ??????????????

??? ????,

?) ?????? ?????????? ??? ?????? ?? ?????????? ??? ?????? ?????????? ?????????????? ???

????? ?? ??? ?????????? ??? ?????? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ???

????????? ??? ?????????? ???.

7. ??? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ?? ?????????? ??? ?????? 13, A,

????????? 1, ??????? ??, ??? ?????????? 2, ??????? ?? ??? ??, ??? ?????????? ????

?? 31 ?????????? 2006 ??? ?????? 77/388/??? ??? ??????????, ??? 17?? ??? 1977,

???? ?????????? ??? ?????????? ??? ?????? ???, ??? ?????????? ?? ??? ?????? ??? ?????? ???

????????? — ??? ?????? ??? ?????? ?????????????? ????: ?????????? ?????????? ??? (4)

(???? ???: ??? ?????).

8.     ?? ?????????? ?????????? ?????? ?? ?????? 168 ??? ??????? ?????? ?? ?????????????? ???  
? ?????????? ?? ?????? ?? ?????? ?????????? ?? ?????? ?? ?????? «??? ?? ?????? ??  
????????????? ?? ?????? ??»:

«???? ?????? ??? ?? ?????? ??? ?? ?????????? ?????????????????? ??? ?? ?????? ?????? ???  
????????????? ??????? ???, ? ?????????? ??? ?????? ??? ?? ???????, ??? ??????  
????? ??? ????? ?????????????? ??? ?????? ???, ?? ?????? ??? ?????? ??? ?? ?????????? ???  
????????? ????:

[...]»

? - ? ?????? ??????????

||| – ? ?????? ??? ???? ? ?????????? ?????? ??? ??????????

10. ? ?????????? ??????? MDDP Sp. z o.o. Akademia Biznesu Sp. komandytowa (??? ????: MDDP) ??????????? ???. ?????? ?????? ?????? ?????? ?????????? ?????????????? ?????????? ????. ?????? ??? ?????????? ????. ?????? ?????? ?????? ????. ?????? ?????? ????. ?????? ?????? ????.

11. ? MDDP ??????? ??? ?? Minister Finansów ?? ??? ?????????? ?????????????????? ??? ?  
?????????????? ??? ?????????? ??? ??? ????? ?????????????? ??????. ?????????? ??? ?????? ???  
? ?????????? ??? ????? ??? ??? ??? ??????????, ??? ????? ????? ??? ?????????? ??? ?????? ???  
??????, ?? ??????? ?? ??????? ??? ??????????. ??? ????? ?????? ? ?????????????? ???  
????????? ??? ????? ?????????? ??? ?? ?????????? ?????? ?????????? ??????????????????  
?????????? ??? ??????? ??? ?????? ??? ?????? ????. ??? ??? ????? ??? ???, ? ?????? ???  
????????? ??? ??????? ??? ?????????????? ?????? ?????? ??? ??? ????? ??? ??? ??????????  
????????? ??? ?????? ??? ??? ?????? ??? ?????? ??? ?????????????? ?????????? ?????? ???.  
????????? ??? MDDP ?????????? ???, ??? ?????? ??? ?????????? ?????????? ??? ?????? ???.

12. ? Minister Finansów ?????????? ??? ?????? ????. ? ?????????? ??? ?? ?????????? ???  
????????? ??? ??? MDDP ????? ??? ????? ??????????. ?? ?????????? ?????????? ?????????? ???  
? MDDP ??? ???????? ?????????? ??? ?????? ??? ?? ????? ?????? ??? ??? ?????? ???  
????? ?? ???????? ??? ?????????? ??? ??? ?????? ??? ?????? ??? ?????????? ?? ?????????? ???.

13. ?? ?????????? ??? ??????? ???????? Naczelnego S?d Administracyjnego (????? ?????????? ??????????) ??? ?????????? ?? ??? ?????? ??? ??????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ???, ?? ?? ??????, ??????? ??? ?????????? ??????? ??? ?????? 267 ??? ?? ?????? ??????????:

1. ?????? ?? ?????? 132, ??????????? 1, ????????? ??, ?? ?????? 133 ??? ?? ?????? 134 ???  
??????? 2006/112 ??? ?????? ??? ??????????? ??? ?????????? ??? ??? ?????? ??? ??? ?????? ??????????????

????? ??? ?????????????? ?????? ?????????? ??? ?????????? ??? ?????????? ?????? ???  
?? ?????????? ??????????, ??? ??? ????? ?????????? ?? ??? 43, ?????????? 1, ?????? 1, ???  
????????? ??? ??? ??? ?? ?????????? ?? ?? ?????????? 7 ??? ?????????? ??' ????. 4  
????? ??? ???, ?? ?????? ??? ?? ??? 2010;

2. ?? ?????????? ?????????? ?????????? ??? ?????? ??????: ??? ?? ?????????? ?  
????????? ??? ?? ?????? ?? ?????? ??? ?????????? ??? ?? ?????????? ?????????? ??????????  
??? ??? ?????? ??? ?????? 168 ??? ?????? 2006/112, ?????????? ??? ? ?????????? ???  
????? ??? ??? ?????????? ?????? ??? ??????;

14. ?????? ??? ?????????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???  
????????? ? MDDP, ? ?????? ?????? ??????????, ? ?????? ??????????, ? ??????????  
?????????, ??? ??? ? ??????. ??? ??' ?????????? ?????? ??? 15? ??? 2013  
????? ? Minister Finansów, ? MDDP, ? ?????? ??????????, ?? ?????? ?????????? ???  
????? ?????????? ??? ?????? ?????????? ?????? ??? ? ??????.

#### IV – ?????? ???????

? – ? ?????? ?????????? ??? ?????????????? ?????? ?????? ??? ??? ???

15. ?? ?? ?????? ???, ?? ?????? ?????????? ??? ?????? ??? ? ?????? ??? ??  
????????? ?? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?? ??????????????  
????? ???, ??? ??? ??? 132, ?????????? 1, ?????? ??, ??? ?? ??????????  
????????? ?? ?????? ?????????????????? ??? ??? ?????????? ??????. ??????  
????????? ?????????? ??? ?????? ??? ?????? ??? ?? ?????? ?????????? ???, ?? ??? ??????????  
??? ??? ?? ?????? ??? ??? ?????? ??? ?? ?????????? ??? ?????????? ??? ?????????? ???  
????????? ??????.

16. ?? ?????? ??? ?????? ???, ??? ?????? ??? ?????????? ??????????,  
????? ?????????? ? ?????? ?????????? ?? ?????????? ?????? ?????? ?????????? ???  
?????.

1. ?????? ?????????? ??? ?????? ??? ?????? ??????;

17. ??? ?????????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ?????????? ??????????, ???  
?? ??? ?????? ??? ?????????? ?? ??????????, ?????? ?????? ?????????? ??????????, ???  
????????????? ??? ?????? ??? 132, ?????????? 1, ?????? ??, ??? ?????? ???, ???  
????????? ??????.

18. ?? ?????????? ??? 132, ?????????? 1, ?????? ??, ??? ?????? ??? ??  
????????? ??? ?????? ?????? ?????????? ???, ??? ?? ?????? ??? ??????????, ??? ??  
????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????????? ??????????????  
??????, ? ??? ?????? ?????????? ??? ?? ?????? ?????? ?????????? ??? ??????  
????????? ??????. ?????? ??? ??????, ?? «?????», ??? ?? ?????????? ??????????,  
????? ?? ?????? ??? ?????????? ??? ?????????? ?????? ?????? ?? ??? ?? ???  
????????? ?????? ??????.

19. ?????? ??? ?? ?????? 132, ?????????? 1, ?????? ??, ??? ?????? ??? ??  
????? ??? ?????????? ??? ?? ?????? ?????????? ? ?????? ?????? ?????? ??????  
?????, ?????????? ??? ??' ?????? ??? ?????? ?????? ?????? ?????? ?????? ?? ???  
????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? (5). ?? ??? ?? ?????? ???,  
?? ?????? ??? ?????? -????? ?????? ??? ?? ?????? ??? ?????? ?????? ?????? ?????? ??????  
?? ?????? ?????????? ?? ?????? ?????????? ??? ?????? 132 ??? ?????? ??? ?? (6)-

? ?????????? ????????. ??? ? ?????????? ?????????? ??? ?????????? ??? ???? ???? ????  
????????? ??? ?????? ??? ?? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ????. ????, ?? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??, ??? ?????? 132,  
????????? 1, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???' ?????????? ??? ???? ????  
??? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? (7).

20. ????, ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ???? ????  
????? ??? ?? ?????????? ?? ?????? ?? ?????? ??? ?????? ??? ?????????? ??? ??????????????  
????????? ??? ?????? ??? ?????? ??? ?????????? ?? ?????? ??? ?????????? ??? ??????. ??? ??????  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 132, ?????????? 1,  
????????? ?, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? 132, ?????????? 1, ?????????? ?, ??? ?????? ??? ?????? ??? ?????? ???  
??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ??????.

21. ??? ? ? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????. ????, ??  
????????? ??? ?????? ??? ?????? ??? ?????? ?, ??? ?????? ?????????? ?? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 132, ?????????? 1, ?????????? ?, ???  
????? ??? ?????? (8).

22. ???, ?????????? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
??? ?????? ??? ?????? ??? ?????? ??? ?????? 132, ?????????? 1, ?????????? ?, ???  
????? ??? ??????.

2. ??? ??? ?????????? ??????

23. ????, ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 132,  
????????? 1, ?????? ?, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

24. ?? ?????? ?????????? ?????????? ?????? ?????? ?????????? ?????? ??? ?????? ??? ?????? ???  
????? 132 ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ???  
????????? ??? ?????? ??? ?????? ????. ????, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ??? ?????? ??? ?????? (9).

25. ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

26. ? ?????? «?????????» ????, ??????, ??????, ?????????? ?????? ??? ? ? ?????????? ??? ?  
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? (10).  
????????? ?, ?????????? ??? ?????? 132, ?????????? 1, ?????????? ?, ??? ?????? ???  
??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???, ?? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ??? ?????? ??? ?????? ???

????????????????? ?? ?????????? ??????????.

27. ?????????? ?????????? ??? ? ?????????? ?????????? ?????????? ?????????? ?????? ?? ??? ??  
?????? ????? ?? ??? ?? ????? 132, ?????????? 1, ??????? ??, ??? ?????? ???, ??  
????????? ??? ????? ?????????? ??? ????? ??????, ??? ?????????? ?????? ?????????? ??  
????? ??? ?????????? ?????????? ??? ?????????? ? ??? ?????????? ?????? ??? ??????. ??????,  
????? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ???, ???, ??? ??? ???  
????????? ??? ?? ??? ????? ?????????? ??? ????? ?????????? ?????????????? ?????????? ? ???  
????????? ??? ?????????? ?????????? ?????????? ?????????? ?????????? ?????????? . ??????, ??  
????????????? ??? ?????????? ??? ?????????? ?????????? ??? ?????????? ??? ?????????? ??? ??????  
??? ?????????? ??? ??????, ??? ?????? ??? ?????????? ??, ???' ?????? ??? ?? ??????????  
????????????? ?????????? ??? ?????? ? ?????????? ?????????? ?????????? ?????????? ???  
????????? ?????? (11).

28. ?????????? ??? ?? ?????????? ?????? ?????? ?????????? ?????????????? ??? ?????????? ??? ?????????? ??? ?????????? ???  
???? ?????????? ?????? ?????? ?????? ??? ?????????? ??? ?????????? ??? ?????? ?????? ??? ?????????? ??? ?????? (12).  
?????????, ??? ?????? ?????? ? ?????????? ??? ?????????? ?????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??????????  
??????????, ????? ?? ?????????? ?? ?????????? ??? ?????????? ??? ?????? ?????????? ??? ?????????? ?????? ?? ???  
????????????? ? ?????????? ?? ?????????? ?????? ?????????? ?????? ?????? ??? ?????????? ?????? ?????? ??????????  
????????? ??? ?? ?????????? ? ?????????? ?????? ?????????? ?????? ?????? ?????????? ?????? ??? ?????? ???  
????????? ?????? (13). ?????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ?? ?????????? ?????? ??? ?????? ?????? ??? ?????????? ?????? ??? ?????????? ?????? ??? ?????????? ?????? ???  
????? ?????????? ??????????, ?????? ?????? ??? ? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ???'  
????? ?????????? ??? ?? ??? ?????? ?????? ?????? ?????? ?????? ?????????? ?????????? ?????? ?????? ??????  
????????????? ??? ? ??? ??? ?????????? ??????.

29. ?????????? ??? ? ???????? ?????????? ??? ?????????? ?????????????? ??? ?????????  
????????????? ??? ?????????? ?????? ?????? ?????????? ?????????????? ?????????????? ??? ?????????????? ???  
????????? ??? ?????? ??? ?????? 133 ??? 134 ??? ?????? ??? ???, ?????? ??, ?????? ??, ???, ???, ???, ???, ???, ???,  
?????????????.

30. ???????, ?? ??????????? ????? ?? ?????????????? ??? ?? ?????? 133 ??????? ??  
?????????? ?? ????? ???, ?? ?????? ?? ?? ?????????????? ??? ?? ??????? ?? ???????????, ??  
?????????? ?? ????? ?? ????? ?? ????? ?????????????? ??? ?? ??????? ?? ??????????? ??  
?????????? ?? ??????????? ?? ????? ?? ?????????????? ??? ?? ?????? ???????????????, ?? ?????  
?? ??????????? ?? ??????? 133 (14). ???????????, ?? ?????? ????? ????? ????? ?????? ?? ??  
?????????? ?? ??????????? ?????????? ??? ?????????????? ??? ?????????????? ?? ?????? 133  
?????????? (15). ?? ?? ??????, ??????? ?? ?? ?????????? ??? ?????????? ?? ?????? 133, ???????  
??, ?? ?????? ?? ????? ?? ?? ??????????? ?????????? ??? ? ?????????? ??????? ?? ??????? ??  
?????????? ?? ?????????? ?? ?????????? . ???????, ?????? ?? ?????????? ?????, ?? ?????  
???? ??????? ?? ?????????? ?????? ?? ?????? ??? ?????????? ??? ?????????????? ?????? ???????  
?? ????? ??????????? ?? ?????? ?? ?????????? ?????? ?? ?????? ??? ?????????? ?????????? ??  
???????. ??????, ? ?????????? ?? ?????? ?? ?????? ??? ????? ???????????, ?? ?????????? ?? ???????  
?? ?????????? ?? ?????? ?? ?????????? ??? ?????????????? ??? ?????????? ?? ??????????  
?????????? ?? ??? ?? ?????????? ??? ?? ?????? ?????????? (16).

31. ????????, ??? ???? ?? ?????? 134 ??? ?????????? ??? ???? ?????????? ?????????????? ???  
??? ?????????? ?? ???? ?????? ?? ?????????? ??? ?????????? ??? ???? ?????????? ??? ???? ??????????  
????????? ?? ???? ?????? ?????????????? ?????????????? ?????? ?????? ?????? ??? ???? ??????  
?????????. ????????, ? ??????? ??????, ?? ?????????? ?????? ?? ?????? 133, ??????????  
????????? ?????? ?????????? ?????? ?????? ?????? ??? ???? ?????????? ??? ?????????? ???  
????? ??? ???? ?????????????? ?????? ?????? (17). ??????, ?????? ??? ??????????

? ??????? ??? –????? ??? ???? ?????????????? ??? ?????????? ?? ?????????? ??– ??????????????  
????? ?? ??????? ?? ?????? «????????????? ???» ?? ??? ?????????????? ??????????????  
?????? ??????? ??? ?????? ??? ?????? ??? ?????? 132, ?????????? 1, ?????????? ??, ??? ??????  
????? ??? (18), ??? ?????? ?????????????? ??? ?????? ?????? ??? ?????????? ??? ?????? ???  
???????. ????????, ??? ?? ?????? ??? ?????????????? ??? ?????? ??? ?????? ?????? ?? ??????  
????????????????? ??? ?????? ?????????????? ?? ?????????? ?????????????? ?????? ?????? ??????  
????????????? ??? ?????????? ?? ?????? 134, ?????????? ??, ??? ?????? ??? ???, ???  
????????? ?? ?????????? ?????????????? ?? ?????? ??? ???' ?????? ?????????? ??? ??????????  
????????? ??????????.

32. ???????, ?????????? ???' ?????????? ? ?????????? ??? ?? ?????????? ??  
????????? ??? ?????? ??? ?????? 132, ?????????? 1, ?????????? ??, ??? ?????? ??? ??  
????? ??? ?????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ? ?????? ??????????  
??? ??? ??? ??? ?????????? ??? ?????????? ?? ?????? ?????????? ?????? ??????????  
????? ?????? ??? ??????????.

3. ??????? ??? ??? ?????? ?????????????? ??????????

33. ???????, ??? ??? ?????? ?????????????? ?????????? ?????????? ??????????.

34. ???????, ?????????? ?? ?????????? ??? ?????????? ??? ?????? ?????????? ?????????? ??  
????? ?? ?? ?????? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ?  
????????? ??? ??? ??????. ??? ?????? ??? ?? ?????? ??? ?????? ??? ?????????? ?? ?????? ?? ??????  
?????????, ??? ?????? ??? ?? ?????? ??? ?? ?????????? ??? ?????? ?????????? ??????????  
?????????, ??? ??? ?? ?????? 132, ?????????? 1, ?????????? ??, ??? ?????? ??? ???  
????? ?? ?????????? ??? ?????? ??? ?? ?????? ?????? ??? ?????????? ?? ?????? ?? ??????  
????? ?????? ??? ?????????? ??? ?????? ??? ?? ?????????? ??? ?????????? ?????? ??????.

35. ???????, ?????? ??? 1 ??? 2 ?????????? ??? ? ?????? ?????????? ??  
????????? ?? ?????????? ??? ???, ?????? ??? ?????? 132, ?????????? 1, ?????????? ??,  
??? ?????? ???, ??? ?????????? ??? ?????? ??? ?????? ?????????? ?? ?????????? ??  
????????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ?? ?????? ?????? ??? ??  
????? ??? ? ?????????? ??? ?????????? ??? ?????? ??? ?? ?????? ?????? ?? ?????? ??????.  
?? ?? ??????, ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ??  
????????? ??? ?????? ??? ?????????? ??? ?????? 132, ?????????? 1, ?????????? ??, ??? ??????  
????? ???.

36. ???????, ??? ??? ?????? ?????????????? ?????????? ?????????? ? ?????????? ??? ??  
????? 132, ?????????? 1, ?????????? ??, ?? ?????? 133 ??? ?? ?????? 134 ??? ?????? ??? ??  
????? ?? ?????????? ??? ??? ?????? ??? ?????? ?????? ?????? ??? ?????????? ??? ??????????  
??? ??? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ??????????  
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ??????  
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ??????  
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ??????.

? – ?? ?????? ?????????? ??? ?????? ??? ???

37. ? ?????????? ??? ?? ??????? ?????????????? ??????? ?????? ?? ?????? ??? ?? ??? ??  
????????????? ????. ?? ? ??????? ??? ?? ?????? ?????? ?????????? ?????? ??? ??????????  
????? ??? ??????????, ?????? ??? ?????? 168 ??? ?????? ??? ??, ?????? ???  
????????????? ??? ?????? ?????? ?????? ?????????? ??? ?????? ?????? ? ?????? ?????????, ??  
????? ??? ?????? ??? ?????? ?????? ?????? ??? ?? ?????????? ?????????? ??? ?????? (19).

38. ?? ??? ???? ?? ?????? ???, ?????????? ??? ?????????? ??? ?????????? VDP Dental Laboratory  
??? ?????? ??? ?????????? «????????? ??????» ??? ?????? ??????. ? ?????????? ???  
????? ??? ?????? ?????????? ?? ?????????? ?????????? ??? ??????, ?????????? ?? ?????? ???  
????????? ?????????? ??? ?? ?????? ?????? ??????, ?????????? ?? ?????? ??? ?????????? ??  
????????? ??????????, ??? ?? ?????????? ??? ?? ?????? ?????? ??? ?? ?????? ??? ??????  
????????? ??? ?????????? ?? ?????? ??????. ??????, ?????? ?? ?????????? ??? ??????????  
????? ??? ?????????? ??? ?????? ?????????????? ??? ?????? ?????? ??? ?????? ??????????  
????????? ?????????? ???' ?????? ??? ?????? ?????? ?????????? ?????? (20).

39. ??? ?????? ??? ?? ?????????? ??? ?????? ?? ?????????? ?? ??? ?????????? ???,  
????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ?? ?????????? ??? ??????????  
????? ??? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????????  
????? ???, ?? ?? ??????, ?? ?????? ?????? ??????????. ??????, ? ?????? ??? ?????? ??? ??????????  
????? ??? ?? ?????? «????????? ??????» (21).

40. ? MDDP ?????????? ??? ?????? ??? ?? ?????????? ??? ?????? ? ?????????? ???  
????? ?????????? ?? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???,  
????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ??????  
????? ?? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????  
????. ?? ?? ??????, ??? ?? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?? ?????? ??? ??????  
??? ?????????? ??? ?? ?????? ??????????. ?????? ?????????? ?? ??? ?????? ??? ?????? ??? ??????  
????? ??? ??? ??????, ? ?????? ??? ?????? ?????? ??????, ?????? ??? ?????? 288 ???, ?????? ??  
????? ??? ??? ??? ?????? ?????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?????? ???  
????????? ??? ??? ?. ? ?????? ?????? ?????? ?????????? ?? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ??? ?????? ??? ?????? (22).

41. ?? ????????, ?? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ?????????? ???  
?? ??? ??? ?????????? ????. ? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???,  
????? ??????????????, ?????????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???  
????? ?? ??? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ???  
????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? (22).

42. ?????? ??? ???????, ?????? ???' ?????? ?? ?????????????? ??? ?????? ??? ??????  
????? ??? ??? ?????????? ?????????? ??? ?????? ??? ?????? (????????? ??? 1), ?? ????????,  
??? ??? ??? ?????? ??? ?????? ???, ??? ?????? ?????? ??????????, ??????????  
????????? ??? ?????? ?????? (????????? ??? 2), ???, ????, ????, ??? ?????? ?????? ??????  
????????? ??? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? (????????? ??? 3).

1. ?????????? ????????

43. ???' ????, ?????? ?? ?????????????? ??? ?????? ??? ?????????? ??? ?????? ???  
????? ?????????? ?????????? ??? ?????? ??? ?????? (23).

44.    ??? ??? ?????? ????, ??????????? ? ?????????? ??? ?????? ??? ?????? ??????  
????????? ??? ?????? ??? ?????? 168 ??? ?????? ??? ?????? ??? ?????? ??? ??????  
????????? ??? ?????? ?????? ?????????? ?? ?????????? ??????. ??? ?????? ?????? ???  
????? ?? ?????????? ?? ?????????? ?????? ??? ?????? ??? ?????????? ?????? ??? ?????????? ??????.  
?????????, ?? ?????? ??? ?????? ?? ??????, ?????? ?? ?? ?????? 168 ??? ?????? ????,  
?? ?????? ??? ?? ?????? ?????? ?????????? ?????????? ???' ?????? ??? ??????????????  
?????.

45. ?????????? ???????? ??? ?????? ??? ?????????? ?????? ?? ?????? ?? ?????? 132,  
????????? 1, ??????? ??, ??? ?????? ????? ???. ??? ?????? ?????? ?? ?????? ??????  
????????? ?????????? ??? ?????? ??? ?????????? ?? ?????? ?????????????? ??? ??? ??????  
????, ?????????? ??? ?????????????? ??? ?????? ?????? ?? ?????? ??? ?????? ???  
????????????? ?????????????? ??????.

48. ????? ? ?????????????????? ??????? ??????????? ??? ??? ??? ??? ?????? ?? ???????????  
????? ?????????? ?????????? ??? ??????????? ?????? ?????????? ??? ?????? ?? ?????????? ???  
????????? ?????????? ??? ?????? ??????? ?????? ?? ?????? ?????? ??????????. ??????????, ??  
????????? ?????????? ?? ?????????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ??? ??  
????????????? ?????????? ?????????? ??? ?????? ?????? ??????????????. ??????????, ??? ?????????? ???  
?? ?????????? ??? ?????? ?????????? ?????????? ??? ?????? ??? ? ?????????? ?????? ??? ?????? ?????? ???  
(24).

49. ?????????? ?????????? ?????????????? ??? ?????????? ???, ????? ??? ??????????????, ???  
?????? ??? ?????? ?? ?????????????? ?????????????? ??? ????? ?????? (25). ??? ?????? ???  
???? ?????? ??? ?????????? ?? ??????????. ??? ??? ?????????? ?????????????? ???  
????????? ?????? ?????????? ??? ?????????? ??? ?????????? ??? ??? ?????????? ??? ? ??????????  
????????????? ??? ?????????? ??? . ??? ??????, ??? ?????????? ??????????????, ?? ?????????? ??  
????????????? ??? ?????????? ??????????????.

50. ????? ?????? ??? ? ??????? ?????????? ?????????????? ??????????????????, ??? ?????? ?????? ??? ???????  
???, ??? ?????? RBS Deutschland Holding, ?????? ?? ?????????? ??? ? ?????? ??? ?????? ??? ??????  
??? ??????? ??? ??? ?????? 169, ??????? ??, ??? ?????? ??? ?????? ????. ?????? ?? ??????  
????????????? ??? ??? ?????? ?????????? ?????????? ??? ?????????? ??? ??????????????, ?? ??????????  
????? ?? ?????????? ?? ?????????? ?????? 168, ?? ?????? ??? ?????? ??????????????  
?????. ??? ?? ??????, ? ?????? RBS Deutschland Holding ??????? ??? ?????????? ???

????????????? ?? ?????????????? ??? ?????????? ??? ?????????????? ?????? ?????? ?????? ???  
????? ?????? ?????? ?? ??? ?????? ??????, ??? ?????? ??? ?? ??? ?????? ???????????  
????? (26).

51. ?????????? ??? ?? ????? ??????????? ??? ?????????? ?????? ?? ?????????? ?????? ??  
????? ??? ?? ?????????? ?????????????? ??? ?????????? ?????? ??????, ?????????????? ??  
?? ?????? ? ?????????? ??? ?????????????? ??? ?????????? ?????? ??? ?????????? ?????? ??? ?????? 168  
??? ?????? ???, ??? ?????????????? ?????? ?????? ?????? ??? ?? ??? ?????? ??, ??  
????? ???? ??? ?????? ?????????? ??? ?????? ?????????? ??????.

52. ????????, ?? ?????? ??????? ??? ?????????? ?????????????? ??? ?????? ??? ??????????.  
?????????, ??????????? ?? ?????????? ??? ??????? ?????????? ?????????? ?????????? ?? ??????  
?? ??? ?????? ??????? ??? ??????? ?????????? ??? ??????? ??????, ?????? ?? ??????????  
????? ??? ?????????? ??? ?????, ??? ?????? ? MDDP ??? ?????? ??????, ??????  
????? ?? ?????????? ??? ??????? ?????????? ??? ?????????? ??? ?????? ?????? ?????? ???  
????? 132, ?????????? 1, ??????? ??, ??? ??????? ??? ??? ?????????? ?? ?????????? ?? ??????????  
????????? ??? ?????????? ?????? ?????? ??? ?????? ??? ?????????? ?? ??????????  
????????? ????????

2. ??????? ?????????? ??????? ??? ??????? ???????

53.    ?? ?? ???????, ??????? ?????? ?? ??????? ??? ? ??????????? ?????????????? ??  
????????? ?????? ??????? ??? ?????? 132, ??????????? 1, ??????? ??, ??? ?????? ???  
??? ?????? ??????????? ??? ?????? ??? ?????????? ??????? ?? ??? ??? ?? ??????? ??  
????????????? ?? ?????? ?????? ??? ?????????????? ??????? ?????????? ??????????.

54. ?????? ??? ?? ?????????????? ?????? ??????????. ?? ?????? 132, ?????????? 1, ????????, ??, ??? ??????? ?????? ???, ??? ?????????? ?????? ???, ??? ?????????? ???????????, ???????????, ???????????, ?????????? ??? ???? ?????? ???, ??? ?????????? ??? ???? ?????? ???, ??? ?????????? ??? ???? ?????? ???, ??? ?????????? ??? ???? ?????? ???.

55. ???????, ?????????????? ?????? ? ??????? ?????? ??? ??????? ??? ???? 132, ??????????  
 1, ??????? ??, ??? ??????? ????? ??? ?????? ??? ?????????? ??????? ?? ????? ??  
 ?????????????? ??????. ??? ?????? ?????? ? ?????????? ????? ?????? ?????? ??????, ???  
 ????????, ??? ?????????????? ??? ?? ??????? ?????? ?????? ??? ?????????? ?????????? ??  
 ?????? ?????????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??  
 ?????? ?????????? (27).

56. ???????, ?????????? ?????????? ??? ?????? ??? ?????? ?? ??? ?????? ?????? ???? ?????? ?????  
????????? ?????? ?? ??? ?????????? ???' ?????? ??? ?????? ?????????? ??? ?????? ?? ???? ?? ???? ??  
????????? ?????? ??? ?????? ??? ?????? ??? ?? ?????? ??? (28). ????? ?????? ??? ?? ?????? ???  
????? ?????????? ??????????, ?????????? ???' ?????? ? ?????? ?????????? ?????????? ??? ??????  
??? ?????? (29).

57. ???????, ?? ?????? 132, ??????????? 1, ?????????? ??, ??? ??????? ????? ??? ???????????,  
???????? ?? ??? ????? ?????????? ??? ?? ?????? ?????? ??? ?????????????? ??? ??????????? ??  
???????? ?? ?????????????? ?????? ???????????, ??? ? ?????????? ??? ??? ? ??????????  
??? ?????????????? ?????? ??????? ?? ?????????? ??? ?????????? ?????? ??? ?????????? ???  
????????? ??? (30). ??? ?? ?????? ???, ?? ????? 132, ?????????? 1, ?????????? ??, ???  
???????? ?? ??? ?????, ?? ?????? ?? ??? ????? ?????????????? ??? ??? ??? ??????????  
??????????, ?????????? ??????? ??? ?????? ??? ?????? ??? ?????????? ?? ??? ??? ???  
??????????, ?????????? ??? ?????? ????. ????????, ??????? ?????????? ?????????? ???  
????? ?? ?????????? ?????? ?????? ?? ?????????? ???, ??? ?????? ???, ???

????????? ??? ?????? ??? ??????????? ??? ?????? ?????? ??????????????. ??????, ??????  
????????? ??? ??????????? ??????????? ?????? ?????? ? ?????????? ??? ??????????  
?????????? ??? ??????????? ?????????? ??? ?????? ?????? ???' ?????????? ??? ?????? 132,  
????????? 1, ??????? ??, ??? ?????? ??? ??, ? ?????? ??? ?????? ??? ?????? ?????? ??????????  
????????? ??? ?? ?????? ?????? ???????????.

59. ?????, ????????????. ?.?. ??? ?????????????? ????? ????? ?????? ???' ?????? ?? ??????????????  
 ?????????? ??? ?????????? ??? ?????????? ????? ?????????? ?????? ??? ?????? 132,  
 ?????????? 1, ?????????? ?, ??, ?????????? ????? ???, ?????? ?? ?????? ?????? ?????? ?????? ?????? ???  
 ?????????? ??? ?????????????? ??? ?????? ?????????? ?????? ?????? ?????? ?????? ??? ?????? ???  
 ?????????? ?? ?????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???  
 ??? ?????? ?????? ???, ?? ?????????? ??? ?????? (31). ??????, ?? ?????????? ??? ?????? ??????  
 ?????? ?? ?????? ?? ?? ??? ?????? 135, ?????????? 1, ?????????? ?, ??? ?????? ??? ?????? ?? ??  
 ?????? ?????????? ?? ?????????? ?????? ?????????? ?????? ?????? ?????????? ?????? ??? ???  
 ????. ?????????? ? ?????? ?????? ?????? ?????? ?????????? ??? ?????? ?????? ?????? ?????????? ??? ??????  
 ?? ??? ?????? ??? ?????????? ?????? ?????? ?????? ?????? ?????????? ?????? ??????, ?????? ???  
 ??????????, ?????? ?? ?????? ?????? ??? ?????? ??? ?????? ?? ?????????? ?????? ?????? ??????????  
 ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? (32). ?? ?????????? ???  
 ?????????? ??? ??? ?? ?????? 135, ?????? ??, ??? ?????? ???, ?? ?????? ?????? ???, ?? ?????? ??????????  
 ??? ?????? ???, ??? ?????? ?????? ?????? ?????????? ?????? ??????, ?? ?????? ?????? ???  
 ?????????? ??? ?????? ?????? ??????, ?????? ?????? ?????? ?????? ?????????? ?????? ?????? ??????  
 ?????????? ??? ?????? ?????? (33).

60. ???????, ??? ????? ?? ?????????????? ???????? ??? ?????????????? ??? ?????? ??????????????

????? ?????????? ??? ??????? ??? ?????? ?? ?????? ??? ?????? ?????? ?????? ??? ?? ?????????? ???

?????????, ??????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????????? ??? ?????? ??? ???

????????????? ??????????????. ??? ?????? ?????? ?????????????? ?????????????? ??? ?????? ??? ???

????????? ?? ?????? ?????? ?? ?????? ??? ?????? ?????????????? ?? ?????? ?????????????? ???

????? (34). ???????, ??? ?????????? ?????? ?? ?????? ?????????? ?????????? ??? ?????? ???

????????? ??? ?????????? ?????? ?????????? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ???

????? ??????????????.

61. ????????, ??? ???? ?? ??????? ?? ??????????. ??? ?????? ?????? ??????? ??  
?????? ?????? ??? ?????????? ?????? ??????? ?????? ?? ?????? ??? ?????? ??????????  
??? ?????????? ??? ??? ??? ?????????????? ?????? ?????? ??????? ?? ?????? ?? ?????????? ??  
????? ??? ?????????????? ??? ?????? ?????????????? ??? ?????? ??????? 135, ?????????? ??, ???  
?????? ??? ??? ?. ??? ??????????, ? ?????????? ??? ?????????? ? ?????????? ?????? ??? ??  
??? ??????? ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????????? ?????? ?????? ???  
??????????. ?? ??? ?????? ???, ??? ?????? ?????? ?????????? ?? ?????? ???  
????????????? ?? ??? ??? ??? ?? ?????? 132, ?????????? 1, ?????????? ??, ??? ?????????? ???  
??? ?????????? ?????? ?????? ?????? ?????? ?????????? ??? ?????? ?????? ??? ?? ??? ?????? ???  
????????? ??? ?????? ?????????? ??? ?????? ?????? ?????? ??? ?? ?????? ?? ?????????? ???  
????????? ??? ?????? ??? ?????????? ??? ?????? ?????? . ?????? ?????? ?????????? ??? ??  
?? ?????? ?? ?????? ?????????? ??? ?? ?????????? ?? ?????????? ?????? ?????????? ??  
????????? ??? ??????.

62. ????????, ?????????? ?? ?????????? ??? ?? ?????? 132, ?????????? 1, ?????????? ??,  
??? ?????? ??? ??? ?????? ??? ?????? ?????????? ?????????? ?????????? ??????????, ???  
????? ??? ?????? ??? ?????? ?????????? ?????? ?????? ??? ?????????? ?????? ?? ??????????  
????????? ?, ??? ?????? ?????? ?????????? ??????, ??? ?????? ??? ??? ?????? ??????, ???  
????? ??? ??? ??? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ??? ?????? ??? ??????.

3. ?? ?????? ?????????? ??? ?????? ? ?????????? ??? ??????????

63. ?? ?????? ?????????? ??? ??? ? ?????? ??? ?????? 132, ?????????? 1, ??????????  
??, ??? ?????? ??? ??? ?????????? ?? ?????????? ??? ?????????? ??? ?????? ?????????? ???  
????????? ???, ? ?????? ?????? ?? ?????????? ?? ?????? ?????? ??? ?????? ?????????? ???  
????????? ???, ?? ?????????? ?? ?????????? ?? ?????? ?????? ??? ?????? ??? ?????? ???  
??? ?????????? ??? ?????? ??? ?????????? ?? ?????? ?????? ?????? ?????? ?????? ???  
????????? ???, ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ???  
????? ??????. ??????, ??? ??? ?? ?????? ?????? ??? ?????? ??? ?????? ?? ??????????, ???  
????? ??? ?????????? ??? ?????? ??????, ??? ?????? ?????? ??? ?????? ?? ?????????? ???  
????????? ???, ??? ?????? ?????????? ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ???  
????????? ??? ?????? ?? ?????? 132, ?????????? 1, ?????????? ??, ??? ?????? ??? ?????? ??,  
??? ?????? ???, ?? ?????????? ??? ?????????? ?????? ?????? ??? ?????? ??? ?????? ???.

64. ?????, ?? ?????????? ?? ?????????? ??????????, ?? ?????? ?????????? ?? ???  
????? 132, ?????????? 1, ?????? ?? ??? ??, ??? ?????? ???, ?????????? ??? ??  
????????? ??? ?????? ?????????? ?? ?????? ?????? ?????? ?????????? ?????????? ??????????  
??, ??? ?????? ?????, ?????????? ?????? ?? ?????? ?????? ?????? ?????????? ??? ?????? ???  
????????? ?????? ?????????? ?????? ?????? ?????? ?????? ?????????? ?????? ?????? ???  
????? ?????? ??????, ?? ?????????? ?????? ?? ?????? ?????? ?????? ?? ?????? ?????????? ??  
????????? ?? ???, ??? ??? ?? ?????? ??? ?????? ?????? ?????? ?????? ???, ???, ???  
????????? ?????? ?????????? ??? ?????? ?????, ??? ?????? ??? ?????????? ?????? ?????? ???  
????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???  
????????? ??? ?????? ?????? ??? ?????????? ?????? ?????? ??? ?????? ?????? ?????? ???  
????????? ??? ?????? ?????? ?????? ?????? ?????? (35). ?? ??? ?????? ???, ?????????? ???'  
????????? ?? ??? ?????????? ?????? ?????? ? ?????? ?????? ?????? ??? ??????????  
????????? ??? ?? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???  
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ???.

65. ? ?????? ??? ?????????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ???  
????????? ??? MDDP ?????????? ?? ?????? ?????????? ??? ?????? 132,  
????????? 1, ?????? ??, ??? ?????? ???, ??? ?????? ?????? ?????? ??? ?????? ???

????????? ??? ? MDDP ?????? ?? ??????????????, ?????? ??? ?????????????? ?????????????? ???  
?????????????, ?? ??????????? ??? ?????????? ?????????????? ??????. ??? ?? ??????  
?????????? ??? ?? ??????, ? MDDP ?? ?????????? ?? ?????????????? ??? ??????????  
????????????? ??? ?????????????? ?????? ?????? ???.

66. ? ?????? ??? ?????? ??? ?????????????? ?????????? ??? ?????? ??? ?????? ??? ?? ???  
????????? ??? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?? ???, ???  
????? ??? ?????????? ??? ?????? 132, ?????????? 1, ??? ?????? ??? ?????? ??? ?? ???,  
????????? ??? ?????? ??? ?????? ?????? ?????? ?????????????? ?? ?????? ?????? ?????? ?? ??????  
????? ?? ?????? ?? ?????????? ??? ?????????? ?????? ?????????? ??? ?????? ?? ?????? ??????????  
????? ??? ?????????? ?????????? ?????? ?????? ?????? ?????????? ??? ?????? ?? ?????? ??????????  
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
????? ?????? ?????? ?????? (36). ??????, ?? ?????? ?????????? ??? ?? ?????????? ?????? ???  
????????? ??? ?????????? ??? ?????? ?????? ?????????? ?????? ??? ?????????? ??? ?????? ???  
?????????, ??? ?????? ?????? ?????? ??? ?????????? ?????? ?????? ?????? ?????? ?????? ??????  
????????? ??? ?????? ??? ?????????? (37).

67. ??????, ??????? ?????????? ??? ?? ???? ???? ?????? ??? ?????????? ?????????? ??? ??  
????? ??? ?? ??? ?????? ?????????? ??? ?????? ?????????? ?????? ?????????? ??? ?????????? ???  
????? 132, ?????????? 1, ??? ?????? ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?? ??????  
????????? ??? ?????? ??? ?????? ???????????. ?? ?????????? ??? ?????? ??? ?????? ??? ?? ???  
????????? ??? ?????? ?????????? ??? ?????? ?????? ?? ?????????? ?????? ??? ?????? ??? ?? ???  
????????? ??? ?????? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ???  
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
????????? ?????? D. Ruiz-Jarabo Colomer, ?????? ?????? ?????? ?????? ??? ??  
????????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? (38).

68. ???? ????, ?? ?????????? ?????????? ??? ?????? ??? ?? ?????????? ?????? ??? ??  
?? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?? ???  
????????? ??? ?????? ?????? ??? ?????? ??? ?????? (39). ??? ?? ?????? ??? ?????? ?? ??????????  
??? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????? ?????????? ??? ?????? ??? ??????  
????????? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????  
????????? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????  
????????? ??? ?????? ??? ??????.

69. ??????, ??? ??? ?????? ??? ?????? ??? ??????, ??? ?????? ?????????? ??????????,  
????? ??? ?????? ?????????? ??? ?? ?????? ??? ?????? ?? ?????????? ?????? ??? ?? ??? ??????  
?? ??? 132, ?????????? 1, ?????? ??, ??? ?????? ???, ?? ??? ?????? ???, ?? ??? ?????? ???  
????????? ?????????? ?? ?????? ?????????? ?????? ?????? ??? ?????? ??? ?????? ??? ??????  
????????? ??????, ??? ?????? ?????????? ??? ?????? ?????? ?? ?????? ??? ?????? ??? ??????  
????????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???  
????? ??????.

70. ???????, ?? ?????? ?????????? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?? ???  
?? ?????? ??? ?????? ??? ?????????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ? MDDP ??? ?? ???' ?????? ??? ?????? 132, ??????????  
1, ?????? ??, ??? ?????? ????. ?????????? ??? ?????? ?????? ?????? ??? ?????? ???  
????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???  
??? ? MDDP ?? ?????????? ??? ?????? ?????? ?????????? ?????? ??? ?????? ??? ?????? ???  
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

?????????? ????? ???? ? MDDP ??? ?????? ?????? ??? ?????????????? ??????????? ??? ???????  
????????? ??? ? ?????? ??????, ? ?????? ?? ?????????????? ??? ?????? ??? ?????????? ???????????,  
???? ? ?????? ?????????????? ??? ?????????? ??????. ??? ?????? ??????, ??? ???  
?????????, ? ?????????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ???  
??? ?????? 132, ?????????? 1, ??????? ?, ??? ?????? ??? (40).

71. ????????, ??? ???? ?????? ?????????? ?????????? ??? ?????? ??? ?????? ?? ??????????????  
??? ??? ?????? ?????????? ??? ?????????????? ?????????????? ??? ?? ?????? ??? ?????? ??? ??????????  
????? ??? ? MDDP ??? ?????? ?????????? ??? ?????? ??? ?????? ?????????? ?????????? ??? ???????,  
????? ? MDDP ?? ?????? ?? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ?  
????????? ??? ?????? ?????? ??? ?????????? ??' ?????, ?????? ??? ?????? ??? ?????? ??? ??  
????? 132, ?????????? 1, ??????? ?, ??? ?????? ??? ?. ??? ?????? ?????? ???, ??  
????????????? ?????? ?????? ??? ???? ?????? ??? ?????? ??? ?????? ?????????????? ??? ?????? ??? ?  
MDDP ?? ?????? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ??????  
????????? ??????.

72. ???? ???? ?, ? MDDP ?? ??????, ??? ?????? ?????? ??????????????, ?? ?????? ??? ??????  
??????????, ?????? ?? ?????? ??? ?????? ??? ?????????? ?? ?????????? ?? ??? ?????? ???  
Stockholm Lindöpark ??? ?????????? ?????????? (41). ???????, ? ?????? ??? ?????????? ?  
MDDP ??? ???? ?????? ?????????? ??? ?????? ?????????? ?? ?????????? ?? ?????????? ??? ??????  
??? ?? ?????? ??? ?????? ??? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????  
????????? ??? ??????????.

4. ?????? ??? ?????? ?????? ?????????????? ??????????

73. ?? ????????, ??? ?????? ?????????????? ?????? ?????? ?????????? ? ?????????? ???  
?????????? ??? ?????? ??? ??????????, ??? ??? ?????????????? ??? ?????? ??? ?????????????? ???  
??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???, ?? ?????? ??? ?????? ??? ???  
????????? ??? ??? ?????????? ?????? ??? ??????. ??? ?? ?????, ?????? ??? ?????? ?????????? ???  
????? 132, ?????????? 1, ??????? ?, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ???  
????????? ?????????? ??? ?????? ??? ?????????? ?????? ?? ??? ?????? ??? ?????????? ??? ?????? ??? ??  
????, ?????? ??? ???? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???  
????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ???  
????? ????.

V – ??????

74. ???? ???? ??????, ?????? ??? ?????? ??? ?????????? ?? ?????????? ??? ??????????????  
????????? ??? Naczelnego S?d Administracyjny ?? ???:

1) ?? ??? 132, ?????????? 1, ??????? ?, ?? ?????? 133 ??? ?? ?????? 134 ???  
????????? ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

2) ?????????? ??? ?????? ??? ??????????, ??? ??? ?????????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ?? ??????  
????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ?????? ??? ?????? ???  
????????? ??? ?????? 132, ?????????? 1, ??????? ?, ??? ?????? ??? ?????? ??? ?????? ???

?????????? ?? ??????? ??????????? ?? ?????????????? ?????? ???????, ?? ??  
????????? ??? ???? ???? ?, ????, ??? ???? ? ?????????? ?? ??????? ?????????? ???  
???? ?? ??????????? ?? ??????????? ??????? ?? ?????????? ?? ??????? ??? ??????????  
????????? ??? ??? ?? ??????? ???.

1 – ?????? ??? ??????????: ? ????????.

2 – ??., ?? ?????? ?? ?? ?????????????? ?? ???????????, ?? ?????????? ??????????  
???? ?????????? ??? ??????? ?????????? E. Sharpston ??? 8?? ?????? 2007 ??? ??  
????????? C?434/05 ??? C?445/05, Horizon College ??? Haderer (?????? 2007, ?. I?4793,  
?????? 20 ??.).

3 – ?? L 347, ?. 1.

4 – ?? ??. ??? 09/001, ?.49.

5 – ?? . ??? ??? ?????? ??????? ?? 6?? ??????? 2003, C?45/01, Dornier (??????  
2003, ?. I?12911, ???? 64), ??? ??? 8?? ?????? 2006, C?106/05, L.u.P. (?????? 2006, ?.  
I?5123, ???? 42), ??? ??? ?????? 13, ?, ?????????? 1, ??????? ??, ??? ??? ???????,  
????? ??? ?? 26?? ?????? 2005, C-498/03, Kingscrest Associates ??? Montecello (??????  
2005, ?. I?4427, ???? 49), ??? ??? 15?? ??????? 2012, C?174/11, Zimmermann (?????? 26),  
??? ??? ?????? 13, ?, ?????????? 1, ??????? ?? ??, ??? ??? ????????

6 – ?? . ?????????? L.u.P. (????????????? ??? ?????????? 5, ??? 42) ??? ?? 10??  
?????? 2010, C?262/08, CopyGene (?????? 2010, ?. I?5053, ???? 63), ??? ??? ?????? 13,  
?, ?????????? 1, ??????? ??, ??? ??? ?????, ????? ?? 10?? ?????????? 2002,  
C?141/00, Kügler (?????? 2002, ?. I?6833, ???? 54), Kingscrest Associates ??? Montecello  
(????????????? ??? ?????????? 5, ??? 51), ??? Zimmermann (????????????? ???  
????????? 5, ??? 26) ??? ??? ?????? 13, ?, ?????????? 1, ??????? ?? ??, ??? ???  
????? ??????.

7 – ?? . ??? ??? ?????? ??????? ?? 28?? ??????? 2010, C-473/08, Eulitz (?????? 2010,  
. I?907, ???? 36), ??? ??? ??????? ?? ?????? «?????? ? ??????????????»  
?????????» ??? ?????? 13, ?, ?????????? 1, ??????? ??, ??? ??? ???????.

8 – ?????? ??? 13?? ??????? 2005, C-200/04, iSt (?????? 2005, ?. I?8691, ?????? 45  
?? 47), ??? ??? ?????? 13, ?, ?????????? 1, ??????? ??, ??? ??? ???????.

9 – ?? . ?????????? ??? 3?? ??????? 2003, C?144/00, Hoffmann (?????? 2003, ?. I?2921,  
????? 38), ??? Kingscrest Associates ??? Montecello (????????????? ??? ?????????? 5,  
????? 31) ??? ??? ?????? 13, ?, ??? ??? ???????.

10 – ?? . ?????????? ??? 7?? ?????????? 1999, C?216/97, Gregg (?????? 1999, ?. I?4947,  
?????? 15 ??.), ??? Kingscrest Associates ??? Montecello (????????????? ???  
????????? 5, ??? 35).

11 – ?? . ??? ??? ?????? ?????? Kingscrest Associates ??? Montecello (?????????????  
???? ?????????? 5, ??? 37).

12 – ???. ??? ??? ?????????????? ????. ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ???? L. A. Geelhoed ??? 14?? ?????????? 2002 ??? ??? ?????????? C?144/00, Hoffmann (????????? ??? 3?? ?????????? 2003, ??????? 2003, ?. I?2921, ?????? 66), ?? ?????? ?? ???? 13, ?, ?????????? 1, ?????????? ???, ??? ?????? ??????.

13 – ???. ??????? ??? 20?? ??????? 2002, C?287/00, ??????? ??? ?????????? (?????? 2002, ?. I?5811, ?????? 47), ??? ??? ?????? 13, ?, ?????????? 1, ?????????? ?, ??? ?????? ??????.

14 – ???. ?????????? Dornier (????????????????? ????. ?????????????? 5, ??????? 64 ??? 66), Kingscrest Associates ??? Montecello (????????????????? ????. ?????????????? 5, ?????? 38), L.u.P. (????????????????? ????. ?????????????? 5, ??????? 41 ??? 43), ??? Zimmermann (????????????????? ????. ?????????????? 5, ?????? 27) ??? ??? ?????? 13, ?, ?????????? 2, ??????? ?, ??? ?????? ??????.

15 – ?? ?????????? ??? ??????? ?????????? L. M. Poires Maduro ??? 7?? ?????? 2006 ??? ?? ?????????? C-106/05, L.u.P. (????????? ??? 8?? ??????? 2006, ??????? 2006, ?. I?5123, ?????? 39), ?? ??? ?? ?????? 13, ?, ?????????? 1, ?????????? ?, ??? ?????? ??????.

16 – ???. ?????? Kingscrest Associates ??? Montecello (????????????????? ????. ?????????????? 5, ?????? 40) ??? ??? ?????? 13, ?, ?????????? 2, ?????????? ?, ??? ?????????? 1, ?????????? ?? ??? ??, ??? ?????? ??????.

17 – ???. ??? ?? ?????????? ????. ??????? ??? ?? ?????????? ????. ?????????? ?????????? F. G. Jacobs ??? 13?? ?????????? 2001 ??? ??? ?????????? C-174/00, Kennemer Golf (????????? ??? 1?? ?????? 2002, ??????? 2002, ?. I?3293, ?????? 38), ??? ??? ?????????? ?????????? P. Léger ??? 15?? ?????????? 2005 ??? ??? ?????????? C-394/04 ??? C?395/04, ????? (????????? ??? 1?? ?????????? 2005, ??????? 2005, ?. I?10373, ?????? 31), ?? ??? ?? ?????? 13, ?, ?????????? 2, ??? ?????? ??????.

18 – ???. ??? ??? ?????? ??????? ?????? (????????????????? ????. ?????????????? 17, ?????? 26), ??? ??? 9?? ?????????? 2006, C?415/04, Kinderopvang Enschede (????????? 2006, ?. I?1385, ??????? 22 ??? 25), ?? ??? ?? ?????? 13, ?, ?????????? 2, ?????????? ?, ??? ?????? ??????.

19 – ???. ??????? ??? ?? ????? ?????????? ?????? ??? ?????? C?144/13, VDP Dental Laboratory.

20 – ?????????? ??? 7?? ?????????? 2006 ??? ??? ?????????? C?401/05, VDP Dental Laboratory (????????? ??? 14?? ?????????? 2006, ??????? 2006, ?. I?12121, ?????? 95 ??? 97)? ???. ?????? ??? ?????????? ??? ?????? ?????????? N. Fennelly ??? 18?? ?????? 1998 ??? ??? ?????????? C-134/97, Victoria Film (????????? ??? 12?? ?????????? 1998, ??????? 1998, ?. I?7023, ?????? 46).

21 – ???. ??????? ??? 14?? ?????????? 2006, C?401/05, VDP Dental Laboratory (????????????? ????. ?????????? 20, ?????? 41).

22 – ???. ?????? ??? ?????? ?????? ??? 19?? ?????????? 1982, 8/81, Becker (????????? 1982, ?. 53, ?????? 25), ??? 22?? ?????? 1989, 103/88, Costanzo (????????? 1989, ?. 1839, ?????? 29), Kügler (????????????? ????. ?????????? 6, ?????? 51) ???, ???????, ??? 8?? ?????? 2013, C?142/12, Marinov (????? 37)? ???. ?????? ??? 4?? ?????????? 1974, 41/74, van Duyn

(?????? ?????? 1974, ?. 537, ???? 12).

23 – ???. ?????? Zimmermann (????????????????? ??? ?????????????? 5, ???? 51) ??? ???  
?????? 13, A, ??? ????? ???????.

24 – ???. ?????????? ??? 18?? ?????????? 2001, C?150/99, Stockholm Lindöpark (?????????  
2001, ?. I?493, ????? 35), ??? VDP Dental Laboratory (????????????????? ??? ?????????????? 20,  
????? 40).

25 – ???. ??? ?????? ??? 26?? ?????????? 1986, 152/84, Marshall (????????? 1986, ?. 723,  
????? 48).

26 – ???. ?????? ??? 22?? ?????????? 2010, C?277/09, RBS Deutschland Holdings  
(????????? 2010, ?. I?13805, ?????? 37 ??? 41).

27 – ???. ?????? 19 ??????.

28 – ???. ??? ??? ?????? ?????? ??? 3?? ?????? 2011, C?203/10, Auto Nikolovi (?????????  
2011, ?. I?1083, ????? 62).

29 – ???. ?????? ??? 1?? ?????????? 1977, 51/76, Verbond van Nederlandse Ondernemingen  
(????????? 1977, ?. 55, ?????? 25 ??? 29).

30 – ???. ??? ??? ?????? ??? ?????? CopyGene (????????????????? ??? ?????????????? 6,  
????????? 77 ??.) ?? ??? ?? ????? 13, ?, ?????????? 1, ?????????? ?, ??? ????? ???????.

31 – ?????? Dornier (????????????????? ??? ?????????? 5, ?????? 81 ??.).

32 – ?????? ??? 28?? ?????? 2007, C?363/05, JP Morgan Fleming Claverhouse Investment  
Trust ??? The Association of Investment Trust Companies (????????? 2007, ?. I?5517, ?????? 59  
??? 62).

33 – ?????????? ??? 17?? ?????????? 2005, C?453/02 ??? C?462/02, Linneweber ???  
Akritidis (????????? 2005, ?. I?1131, ????? 37), ??? ??? 10?? ?????????? 2011, C?259/10 ???  
C?260/10, Rank Group (????????? 2011, ?. -10947, ????? 68).

34 – ???. ?????????? Dornier (????????????????? ??? ?????????? 5, ?????? 69 ??.),  
Linneweber ??? ?????????? (????????????????? ??? ?????????? 33, ????? 37), ??? JP Morgan  
Fleming Claverhouse Investment Trust ??? The Association of Investment Trust Companies  
(????????????????? ??? ?????????? 32, ????? 48).

35 – ???. ?????????? Kügler (????????????????? ??? ?????????? 6, ?????? 55 ??? 61),  
Dornier (????????????????? ??? ?????????? 5, ?????? 81 ??.), ??? Zimmermann  
(????????????????? ??? ?????????? 5, ?????? 32).

36 – ???. ?????????? Dornier (????????????????? ??? ?????????? 5, ?????? 64), L.u.P.  
(????????????????? ??? ?????????? 5, ?????? 42) ??? CopyGene (????????????????? ???  
????????? 6, ????? 63) ??? ??? ?????? 13, ?, ?????????? 1, ?????????? ?, ??? ??????  
???????, ??? ??? Kingscrest Associates ??? Montecello (????????????????? ??? ??????????????  
5, ?????? 49), ??? Zimmermann (????????????????? ??? ?????????? 5, ?????? 26) ??? ???  
?????? 13, ?, ?????????? 1, ?????????? ?, ??? ?, ??? ?????? ???????.

37 – ???. ?????????? CopyGene (????????????????? ??? ?????????? 6, ?????? 64 ??.) ???  
???. ?????? 13, ?, ?????????? 1, ?????????? ?, ??? ?????? ???????, ?????? ??? Kügler

(????????????????? ??? ?????????????? 6, ??????? 56 ??.), ??? Zimmermann (????????????????? ??? ?????????????? 5, ??????? 31 ?? 33) ??? ??? ?????? 13, ?, ?????????? 1, ????????? ??, ??? ????.

38 – ?????????? ??? ??????? ?????????? D. Ruiz-Jarabo Colomer ??? 22?? ??????????????  
2005 ??? ?? ?????????? C-498/03, Kingscrest Associates ??? Montecello (?????????????????  
???? ??????????? 5, ?????? 36), ?? ????? ?? ?? ????? 13, ?, ?????????? 1, ????????? ?? ??  
??, ??? ????? ??????.

39 – ??????? CopyGene (????????????????? ?????????????? 6, ????? 73) ??? ??? ?????  
13, ?, ?????????? 1, ???????? ??, ??? ????? ??????.

40 - ??., ???????, ?????? 23 ??.

41 – ???. ??????? Stockholm Lindöpark (????????????????? ????. ?????????????? 24, ??????? 34 ??.).