

The CJEU noted that the bicycle appears to be identifiable with sufficient precision and objectivity. As such it is necessary to examine whether the folding bicycle at issue is capable of constituting a work eligible for copyright protection, namely, does it meet the originality criteria. In its evaluation of the criteria for originality, the CJEU stated that if a subject matter is to be capable of being regarded as original, it is both necessary and

The CJEU has clarified that in terms of appearance features of products such as bicycles for Daily use, the technical function may not prevent copyright protection if the condition of originality is met. It is clear that the CJEU finds both necessary and sufficient an original subject matter, in the sense of being the author's own intellectual creation and a subject matter that is identifiable with sufficient precision and objectivity for copyright protection.