

Focus on visibility of case-related information of the Unified Patent Court

Teodora Kandeveva, Patent Knowledge Week, 29 November 2023

The UPC - a quick introduction

- The UPC is a Court common to currently 17 EU Member States for which the Agreement on a Unified Patent Court has entered into force on 1 June 2023;
 - The Unified Patent Court is a court common to the Contracting Member States, with exclusive competence in respect of European patents with unitary effect and “classic” European patents (infringement and validity);
 - Possibility to opt-out (as regards “classic” EPs) during a transitional period.
-

The UPC operational structure

- Judges
 - 37 LQJs, spread across 17 divisions
 - A “pool” of 68 TQJs
- Clerks
 - Approx. 50 clerks
 - Hired by national authorities in the CMS
- Case handling and info repository
 - UPC Case Management System





The UPC in 3 figures

- Total number of cases to date:
Close to **100** cases (infringement and revocation actions, provisional measures, *saisie*)
- Opt outs:
On 29 November 2023: **573 208**
(30 May 2023: 465 247)
- Registered representatives:
Over **6 000** representatives before the UPC



How to search for case-related information – 1

Cases search

| | |
|-------------------------|---|
| CASE NUMBER | <input type="text"/> |
| PATENT NUMBER | <input type="text" value="(EP-----)"/> |
| PARTY TYPE | <input type="text" value="- Any -"/> |
| PARTY NAME | <input type="text"/> |
| PROCEEDING TYPE * | <input type="text" value="- Select -"/> |
| DATE OF LODGING FROM | <input type="text" value="dd/mm/yyyy"/>  |
| DATE OF LODGING TO | <input type="text" value="dd/mm/yyyy"/>  |
| REPRESENTATIVE | <input type="text"/> |
| LANGUAGE OF PROCEEDINGS | <input type="text" value="- Any -"/> |

How to search for case-related information – 2

Cases search

CASE NUMBER

PATENT NUMBER

(EP-----)

PARTY TYPE

- Any -

PARTY NAME

PROCEEDING TYPE *

Proceeding

ACTION/APPLICATION TYPE *

- Select -

DATE OF LODGING FROM

dd/mm/yyyy

DATE OF LODGING TO

dd/mm/yyyy

REPRESENTATIVE

LANGUAGE OF PROCEEDINGS

- Any -

SUBMIT

RESET

How to search for case-related information – 2

PROCEEDING TYPE *

Proceeding

ACTION/APPLICATION TYPE *

Infringement Action

DATE OF LODGING FROM

dd/mm/yyyy

DATE OF LODGING TO

dd/mm/yyyy

REPRESENTATIVE

LANGUAGE OF PROCEEDINGS

- Any -

SUBMIT

RESET

Showing 1 to 9 of 49 results

Case Number: ACT_459760/2023

- Patent number: EP3795501
- Party: Autostore System Gmb ...
- Court Division: First instance, Local division - Düsseldorf
- Date of Formal receipt: 2023-06-01

Case Number: ACT_459762/2023

- Patent number: EP2372863
- Party: Belkin Gmb ...
- Court Division: First instance, Local division - Munich
- Date of Formal receipt: 2023-07-04

Case Number: ACT_459767/2023

- Patent number: EP3375337
- Party: Franz Kaldewei GmbH & Co. K ...
- Court Division: First instance, Local division - Düsseldorf

How to search for case-related information – 2

Case details

[Home](#) » [Cases](#)

Case Number: ACT_**459505**/2023

- **Patent number:**
EP3666797 - ANTIGEN BINDING PROTEINS TO PROPROTEIN CONVERTASE SUBTILISIN KEXIN TYPE 9 (PCSK9)
- **Proceeding type:** Proceeding
- **Action/Application:** Revocation Action
- **Claimants:**
Sanofi-Aventis Deutschland GmbH *Represented by* Daniel Wise
Sanofi Winthrop Industrie S.A. *Represented by* Daniel Wise
Sanofi-Aventis Groupe *Represented by* Daniel Wise
- **Defendants:**
Amgen, Inc. *Represented by* Michael Eder
- **Judges:**
Andras Kupecz
Casper Struve
Ulrike Voß
- **Court Division:** First instance, Central division - Munich
- **Date of Formal receipt:** 2023-06-02 18:59:56
- **Language of proceeding:** English

Decisions and order

- All decisions and orders of the Court are to be published
- As for written pleadings and evidence: available “upon reasoned request”
- Appeal to be heard on a decision under Rule 262.1(b) RoP

Rule 262 – Public access to the register

1. Without prejudice to Articles 58 and 60(1) of the Agreement and subject to Rules 190.1, 194.5, 196.1, 197.4, 199.1, 207.7, 209.4, 315.2 and 365.2, and following, where applicable, redaction of personal data within the meaning of Regulation (EU) 2016/679 and confidential information according to paragraph 2

(a) decisions and orders made by the Court shall be published,

(b) written pleadings and evidence, lodged at the Court and recorded by the Registry shall be available to the public upon reasoned request to the Registry; the decision is taken by the judge-rapporteur after consulting the parties.

2. A party may request that certain information of written pleadings or evidence be kept confidential and provide specific reasons for such confidentiality. To this end content of the register is made publicly available according to paragraph 1 (b) only 14 days after it has been available to all recipients. The Registrar shall ensure that beyond this time period information subject of a request for confidentiality shall not be made available pending an Application pursuant to paragraph 3 or an appeal pursuant to Rule 220.2. When a party lodges a request that parts of written pleadings or evidence shall be kept confidential, he shall also provide copies of the said documents with the relevant parts redacted when making the request.

3. A member of the public may lodge an Application with the Court for an order that any information excluded from public access pursuant to paragraph 2 may be made available to the applicant.



Unified Patent Court
Einheitliches Patentgericht
Juridiction unifiée du brevet

Decisions and orders – dedicated page – 1



Unified Patent Court
Einheitliches Patentgericht
Juridiction unifiée du brevet

**A single patent court for Member
States of the European Union**



EN

FR

DE



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| | |
|---|---|
| <div><div>Location</div><div>Show All</div></div> <div>Court of Appeal, Luxembourg</div> <div><div>Luxembourg (LU)</div><div>Order</div><div>Decision</div></div> | <div>Order</div> <div><p>Parties: Ocado Innovation Limited against Third Party</p><p>Case number: App_584588/2023 UPC_CoA_407/2023</p><p>Order/Decision reference: /</p><p>Type of action(s): Application for suspensive effect (RoP223)</p><p>Court - Division: Court of Appeal - Luxembourg (LU)</p><p>Language of Proceedings: English</p><p>Date: 6 November, 2023</p><p>Headnotes: Suspensive effect for an appeal of an order on access t ...</p><p>Read more</p></div> |
| <div>Central Division of the Court of First Instance</div> <div><div>Paris (FR) Central Division - Seat</div><div>Order</div><div>Decision</div></div> | <div>Order</div> <div><p>Parties: Sanofi-Aventis Deutschland GmbH, Sanofi-Aventis Groupe S.A., Sanofi Winthrop Industrie S.A., Regeneron Pharmaceuticals Inc. v Amgen, Inc.</p><p>Case number: APL_572929/2023 UPC_CoA_320/2023</p><p>Order/Decision reference: ORD_580110/2023</p></div> |

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Main Details:

Case number: APL_572929/2023 UPC_CoA_320/2023

Date: Fri, 13/10/2023 - 12:00

Judgement Type: Order

Parties: Sanofi-Aventis Deutschland GmbH, Sanofi-Aventis Groupe S.A., Sanofi Winthrop Industrie S.A., Regeneron Pharmaceuticals Inc. v Amgen, Inc.

Order/Decision reference: ORD_580110/2023

Type of action(s): Appeal under RoP 220.2

Language: German

Court - Division: Court of Appeal - Luxembourg (LU)

Headnotes:

Keynotes:

Schlagwörter: Zustellung der Klageschrift ohne in Bezug genommene oder angekündigte Anlagen; Fristverlängerung

Judgment Documents:



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PATENT NUMBER (EP-----) *

EP3677695

SUBMIT

Patent Number: EP3677695

- **Case Number:** App_26319/2023
- **Case Type:** REMOVAL_OPTOUT
- **Date of lodging:** April 14, 2023
- **Decision:** APPLICATION_ACCEPTED

Patent Number: EP3677695

- **Case Number:** UPC_APP_14684/2023
- **Case Type:** OPT_OUT
- **Date of lodging:** April 3, 2023
- **Decision:** NOT_APPLICABLE

Event date: 14.06.2023

Event description: OPT-OUT OF THE COMPETENCE OF THE UNIFIED PATENT COURT (UPC) REGISTERED

Effective DATE: 20230403

Event date: 21.06.2023

Event description: OPT-OUT OF THE COMPETENCE OF THE UNIFIED PATENT COURT (UPC) DELETED



Unified Patent Court
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Thank you for your attention!
