



## Application

### What?

- Particulars in accordance with [Rule 13-1 \(a\) to \(i\)](#)
- A clear indication of the measures requested including the exact location of the evidence to be preserved [\[R. 196-1\]](#)
- The reasons of the proposed measures
- The facts and evidence supporting the Application
- For Application lodged before any action on the merits, a concise description of the action to be started before the Court

### Where?

- At the division where the applicant has started the proceedings on the merits or where it intends to start such proceedings [\[R. 192-1\]](#)

### How?

- Through the online IT system of the Court

## Order of the Court

### What?

- Detailed description, without or without samples
- Physical seizure of allegedly infringing good
- Physical seizure of the materials and implements used in the production and/or distribution of these goods and any related document
- Preservation and disclosure of digital media and data [\[R. 196-1\]](#)

### Who can proceed with the operations?

- A professional person or expert, who guarantees expertise, independence and impartiality (no employee or director of the applicant) [\[R. 196-4\]](#)

### Limits

- Protection of confidentiality [\[R. 190-1\]](#)
- Adequate security for legal costs, expenses and compensation of the defendant [\[R. 196-6\]](#)
- Revocation of the measures to preserve evidence if the applicant does not bring an action on the merits within 31 days or 20 working days, whichever is the longer, starting from the date of the measures [\[Art. 60 UPC Agreement\]](#)