

During the interim conference, the judge-rapporteur may:

- identify the main issues, the relevant facts in dispute and clarify the positions of the parties - explore settlement possibilities
- issue orders regarding production of further pleadings, documents, experts, experiments, inspections, further written evidence, oral evidence, preparation and statement of witnesses
 - decide the value of the action (in case of Counterclaim for infringement)
 - decide the value of the proceeding for assessing the recoverable costs

The judge-rapporteur may hold one or more interim conferences most probably by visio conference to prepare the oral hearing

losure

a revocation action in defence)

Written procedute months or 9 months if the Defendant files

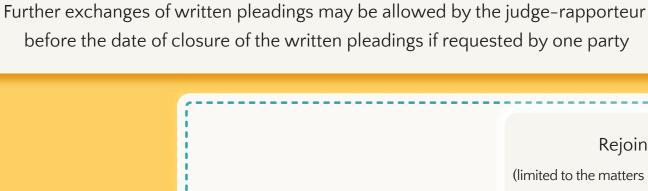
After the closure of the written procedure, the judge-rapporteur will decide whether the Counterclaim for revocation shall be referred to the Central division or whether a technical judge shall be allocated to the matter to rule the infringement and revocation together

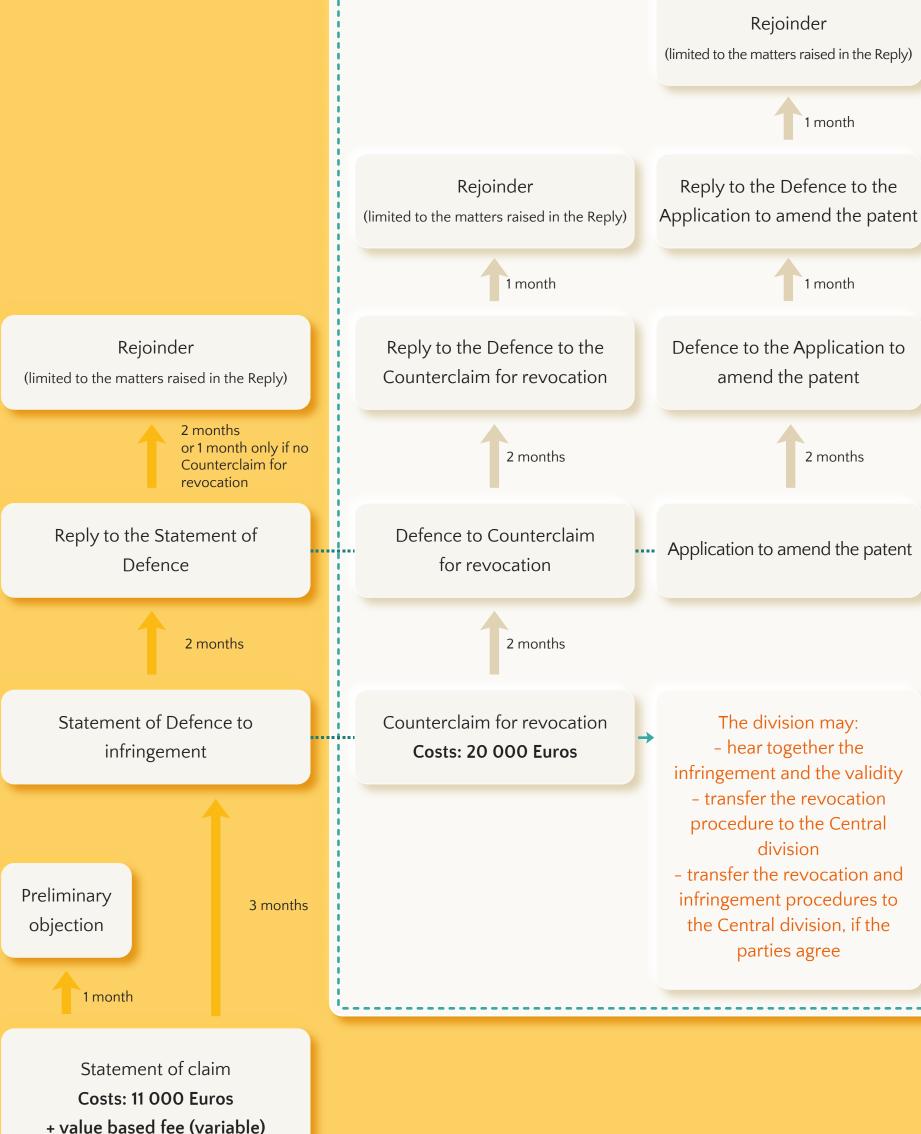
1 month

1 month

2 months

Bifurcation?





When: Within 5 years after the date on which the applicant became aware, or had reasonable grounds to become aware,

of the last fact justifying the action

Who:

Principally the patent or SCP sole proprietor or co-owner, the exclusive licensee unless the licensing agreement provides otherwise and provided that the patent proprietor is given prior notice, any person entitled to bring actions in accordance with its national law, who is concerned by a patent

⚠ The holder of a non-exclusive licence shall not be entitled to bring actions before the Court, unless the patent proprietor is given prior notice and in so far as expressly permitted by the licence agreement

Where:

- Local or Regional division where the infringement occurred or where one of the defendant is located - Central division when the defendant's domicile is not in a Contracting State or if there is no Local or Regional division
- Any division if the parties agree

Language:

- Official language of the Local or Regional division

Grounds: art. 25 to 29 of the

UPC Agreement

- One of the official language or one of the designated EPO languages (Local or Regional division)

Find all the relevant texts of the UPC in our "Smart & Interactive Code"

