



#### 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
- 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"**

[www.upc-casalonga.eu](http://www.upc-casalonga.eu)

A free and easily accessible platform  
to understand and familiar yourself with the UPC texts