

UPC CFI, Local Division Düsseldorf, 25 September 2024, Valeo Electrification v Magna



PROCEDURAL LAW – PATENT LAW

Case management order regarding evidence during oral hearing in PI proceedings (R. 210 RoP)

- evidence in PI proceedings is generally and primarily to be submitted in writing (**R. 170.1 (a) and (b) RoP**), with particular importance being attached to the submission of affidavits (**R. 170.2 (h) RoP**). In addition, the submission of physical objects, in particular devices, products, embodiments, exhibits and models (**R. 170.1 (c) RoP**), and of electronic files and audio/video files (**R. 170.1 (d) RoP**) may be an option.
 - The Court does not summon witnesses in PI proceedings and does not provide simultaneous interpretation in this respect.
4. It is at the discretion of the parties to provide their own simultaneous interpreters. If the parties wish to use the translation equipment in the courtroom for that purpose, they are requested to inform the Sub-Registry of the Düsseldorf Local Division at least one week before the oral hearing.

Source: [Unified Patent Court](#)

UPC CFI, Local Division Düsseldorf, 25 September 2024

(Thomas)

UPC_CFI_347/2024

Procedural Order

of the Court of First Instance of the Unified Patent Court issued on 20 September 2024 concerning [EP 3 320 602 B1](#)

APPLICANT:

Valeo Electrification, 14 avenue des Béguines, 95800 Cergy, France, represented by the President Thierry Kalanquin, with the same address,

Represented by: Attorney-at-law Felix Rödiger, Attorney-at-law Jonas Smeets, Attorney-at-law Fabian Saube, Bird & Bird LLP, Carl-Theodor-Straße 6, 40213 Düsseldorf, Germany,

Electronic address for service: felix.roediger@twobirds.com

Contributing European patent attorneys: Nicolas Cardon, Amandine Ricard, Florian Saadi, Valeo Electrification, Cergy

DEFENDANTS:

1. Magna PT B.V. & Co. KG, Herrmann-Hagenmeyer-Str. 1, 74199 Untergruppenbach, Germany, represented by its general partner, Magna PT Management B.V.,

with the same address, which is jointly represented by the managing directors Thomas Klett and Sandro Gildo Morandini, with the same address,

2. Magna PT s.r.o., Perinska cesta 282, Kechnec 044 58, Slovakia, represented by its managing directors Martin Hluchý und Katarína Vaškovičová, with the same address,

3. Magna International France, SARL, 4 route de Gisy Bâtiment 26, Bièvres 91570, France, represented by its managing directors Thierry Servouse and Franz Trummer, with the same address,

All Defendants represented by: Attorney-at-law Klaus Haft, Attorney-at-law Sabine Agé, Attorney-at-law Sebastian Kratzer, Hoyng, ROKH, Monegier, Steinstraße 20, 40213 Düsseldorf, Germany,

Collaborating attorney: Attorney-at-law Dr Wolfgang Kellenter, Hengeler Müller, Benrather Straße 18-20, 40213 Düsseldorf, Germany,

Collaborating European Patent attorney: European Patent Attorney Jan Ackermann, Cohausz & Florack, Bleichstraße 14, 40211 Düsseldorf, Germany,

PATENT IN SUIT:

EUROPEAN PATENT NO. EP 3 320 602 B1

PANEL/DIVISION: Panel of the Düsseldorf Local Division

DECIDING JUDGES:

This order was issued by Presiding Judge Thomas acting as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS: English

SUBJECT: [R. 9 RoP](#), [R. 210.2 S. 2 RoP](#): Order on the Applicability of the Rules on Evidence in PI proceedings

ORDER:

In preparation for the oral hearing scheduled for 8 October 2024, the attention of the Parties is drawn to the following:

1. Pursuant to [R. 210.2 S. 2 RoP](#), Part 2 of the Rules on Evidence shall be applicable only to the extent determined by the Court.

2. On this basis, evidence in PI proceedings is generally and primarily to be submitted in writing ([R. 170.1 \(a\) and \(b\) RoP](#)), with particular importance being attached to the submission of affidavits ([R. 170.2 \(h\) RoP](#)). In addition, the submission of physical objects, in particular devices, products, embodiments, exhibits and models ([R. 170.1 \(c\) RoP](#)), and of electronic files and audio/video files ([R. 170.1 \(d\) RoP](#)) may be an option.

3. The Court does not summon witnesses in PI proceedings and does not provide simultaneous interpretation in this respect.

4. It is at the discretion of the parties to provide their own simultaneous interpreters. If the parties wish to use the translation equipment in the courtroom for that purpose, they are requested to inform the Sub-Registry of the Düsseldorf Local Division at least one week before the oral hearing.

DETAILS OF THE ORDER:

ORD_53404/2024 under main file reference ACT_37931/2024

UPC number: UPC_CFI_347/2024

Type of procedure: Application for provisional measures

Issued in Düsseldorf on 25 September 2024
NAMES AND SIGNATURES
Presiding Judge Thomas
