



Düsseldorf Local Division
UPC_CFI_336/2024
UPC_CFI_605/2024

Procedural Order
of the Court of First Instance of the Unified Patent Court
issued on 21 January 2025
concerning EP 3 065 184 B1

Claimant:

Maxeon Solar Pte. Ltd., represented by its CEO, 8 Marina Boulevard #05-02, Marina Bay Financial Centre, 018981 Singapur,

Represented by: Attorney-at-law Christian Harmsen, Attorney-at-law Dr Bastian Selck, Bird & Bird LLP, Carl-Theodor-Straße 6, 40213 Düsseldorf,

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Contributing: Patent Attorney Dr Felix Harbsmeier, Patent Attorney Cameron Walker, Bird & Bird LLP, Am Sandtorkai 50, 20457 Hamburg,

Tjibbe Douma und Carlos van Staveren, Bird & Bird (Netherlands) LLP, Gustav Mahlerlaan 42, 1082 MC Amsterdam, Niederlande,

Defendants:

- 1. Aiko Energy Germany GmbH**, represented by ist CEOs Dr Christian Frank Peter und Haojie Lu, Niederkasseler Lohweg 18, 40547 Düsseldorf, Germany,
- 2. Solarlab Aiko Europe GmbH**, Dr Christian Frank Peter, Berliner Allee 29, 79110 Freiburg im Breisgau, Germany,
- 3. Memodo GmbH**, represented by its CEOs Enrico Brandmeier, Daniel Schmitt und Tobias Wenleder, Eichenstraße 11 a-d, 85445 Oberding, Germany,
- 4. Aiko Energy Netherlands B.V.**, represented by its CEO, Schiphol Boulevard 201 – 1118 BG - Schiphol, the Netherlands,
- 5. Libra Energy B.V.**, represented by ist CEO Bram van Duijn, Eendrachtstraat 199, 1951 AX Velsen-Noord, the Netherlands,
- 6. VDH Solar Groothandel B.V.**, represented by its CEO, Finlandlaan 1, 2391 PV, Hazerswoude-dorp, the Netherlands,

7. **PowerDeal SRL**, represented by its CEO, Rue du Fond des Fourches 41, 4041 Herstal, Belgium,
8. **Coenergia Srl a Socio Unico**, represented by its CEO, Foro Buonaparte 55, 20121 Milan, Italy,

Defendants 1., 2. and 4. represented by:

Attorney-at-law Gertjan Kuipers, Attorney-at-law Hendrik Jan Ridderinkhof and other Representatives before the UPC of Hogan Lovells International LLP, Strawinskyaan 4129, 1077 ZX Amsterdam, the Netherlands,

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Contributing:

Attorney-at-law Dr Henrik Lehment, Attorney-at-law Vanessa Zipperich and other Representatives before the UPC of Hogan Lovells LLP, Dreischeibenhaus 1, 40211 Düsseldorf, Germany,

Patent Attorney Dr Andreas Schmid, Patent Attorney Cedrik Rohr and other Representatives before the UPC of Hogan Lovells International LLP, Karl-Scharnagl-Ring 5, 80539 Munich, Germany,

Defendants 3. and 5. to 8. Represented by:

Attorney-at-law Dr Constantin Kurtz, Attorney-at-law Dr Stefan Eck, Attorney-at-law Maximilian Reif, Klaka Rechtsanwälte Partnerschaft mbB, Delpstraße 4, 81679 Munich, Germany,

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Contributing:

Patent Attorney Dr Markus Herzog, Patent Attorney Manuel Millahn, Weickmann & Weickmann Patent- und Rechtsanwälte PartmbB, Richard-Strauss-Straße 80, 81679 Munich, Germany,

PATENT IN SUIT:

EUROPEAN PATENT NO. 3 065 184 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. 262A RoP, R. 353 RoP – Protection of confidential information, Application for rectification

GROUNDS FOR THE ORDER:

The application is admissible, in particular it was filed within the deadline pursuant to R. 353 RoP, but unfounded.

I.

According to R. 353 RoP, the Court may upon an application by a party made within one month of service of the decision or order rectify clerical mistakes, errors in calculation and obvious slips in the decision or order. “Obvious slips” within the meaning of R. 353 RoP are all incorrect or incomplete statements of what the Court actually intended in the order or decision. In other words, the declaration of the Court’s intention in the decision or order must deviate from the intention that existed when the decision was made (UPC_CFI_177/2023 (LD Düsseldorf), Order dated 30 June 2023, under II.1. – myStromer/Revolt Zycling; UPC_CFI_347/2024 (LD Düsseldorf), Order of 20 November 2024 – Valeo v. Magna).

II.

Based on these principles, there is no room for rectification in the present case.

The order to which the application refers contains neither an “obvious slip” nor any other clerical mistake. In the “unredacted version” it contains the name of the natural person of Defendant 7. to whom access was granted. It is only in the “redacted version” that this name is deleted and replaced by “[...]”.

ORDER:

The application for rectification is dismissed.

DETAILS OF THE ORDER:

App_3072/2025 concerning App_47498/2024 and App_57500/2024 under main file references ACT_36426/2024 and CC_57310/2024

UPC number: UPC_CFI_336/2024 and UPC_CFI_605/2024

Type of procedure: Infringement action and Counterclaim for revocation

Issued in Düsseldorf on 21 January 2025

NAME UND SIGNATURE

Presiding Judge Thomas