



Milan - local division

Case no. 498862/2023  
Procedural Order  
of the Court of First Instance of the Unified Patent Court delivered  
on 13/06/2023

Date of receipt of Written Procedure : 12/06/2023

CLAIMANT/S

- 1) OERLIKON TEXTILE GMBH & CO KG                      Represented by X  
(Applicant) - Leverkusen Strasse 65 - 42897 - Remscheid - DE

DEFENDANT/S

- 1) Himson Engineering Private Limited  
(Defendant) - Survey n. 352 Hiratal Colony  
Ashwanikumar Road - 395008 - Surat, Gujarat  
- IN

PATENT AT ISSUE

Patent no.

Proprietor/s

---

EP2145848

OERLIKON TEXTILE GMBH & CO KG

---

DECIDING JUDGE

COMPOSITION OF PANEL - STANDING JUDGE

Standing judge

Mélanie BESSAUD

LANGUAGE OF PROCEEDINGS: Italian

ORDER

The claimant lodged an extremely urgent application for preserving evidence before the local division of Milan.

At the time of the present order, the Court did not receive the confirmation that the payment of the court fees has been made. According to R. 371.3 the claimant will have to pay the courts fees within two days from the registration of the application.

By virtue of article 194.4 of the rules of procedure (RoP), the standing judge, appointed in accordance with Rule 345.5 may decide immediately on an application to preserve evidence and on the procedure to be followed.

The claimant argues that the order for preserving evidence is extremely urgent due to the end of the fair in Milan, which will end on the 14th of June.

The application has been lodged on the 12th afternoon. At this stage, it is still possible for the presiding judge in the local division of Milan to make an urgent decision before the end of the fair. Against this background, the extreme urgency is not characterized and the application for preserving evidence can be examined by the presiding judge in accordance with Rule 194.3.

INSTRUCTIONS TO THE PARTIES AND TO THE REGISTRY

The proceedings shall be forwarded by the Registry to the presiding judge in the Milan local division for further decision.

Standing Judge

Mélanie BESSAUD

Deputy-Registrar

Axel Jacobi