

General Template for Decision – UPC CA



Action n°: UPC xxx/year

Action:

[Where applicable]

Application n°: xxx/year

Application:

DECISION

of the Court of Appeal of the Unified Patent Court
delivered on *[dd month in words yyyy]*
concerning ... *[EP/UP/SPC/EP application at issue]*

HEADNOTES: ... *[required by R. 73, 67 RegR] [to be provided by the judge-rapporteur]*

KEYWORDS: ... *[required by R. 73, 67 RegR] [to be provided by the judge-rapporteur]*

REFERENCE CODE ECLI: ... *[required by R. 73, 67 RegR] [to be provided by the Registrar]*

[CLAIMANT OR DEFENDANT] AND APPELLANT:

... *[name and postal address]*

represented by ... *[academic title (where applicable), name, national professional title, firm]*

assisted by ... *[academic title (where applicable), name, national professional title, firm]*

[CLAIMANT OR DEFENDANT] AND RESPONDENT:

... *[name and postal address]*

represented by ... *[academic title (where applicable), name, national professional title, firm]*

assisted by ... *[academic title (where applicable), name, national professional title, firm]*

PATENT AT ISSUE (data to be retrieved in databases of the EPO)

European patent n° ... *[hereafter referred to by its last three digits, e.g. EP 789]*

[or European patent with unitary effect n° ... [e.g. UP 789]

[or Supplementary protection certificate ... [e.g. SPC 789]

[or European patent application n° ... [e.g. EP application 789]

PANEL

Panel *[number]* ...

DECIDING JUDGES [R. 350.1(c) RoP]:

[in case the panel is delivering the Decision]

This decision has been delivered by the presiding judge ..., the legally qualified judge ..., the legally qualified judge ..., the technically qualified judge ... and the technically qualified judge ...

[in case only one judge is delivering the Decision]

This Decision has been delivered by the Judge-rapporteur ...

[or: ... by the presiding judge ...]

[or: ... by the standing judge ...]

IMPUGNED DECISION OR ORDER OF THE COURT OF FIRST INSTANCE

Date: ...

Action number attributed by the Court of First Instance: ...

SUMMARY OF FACTS [R. 350.1(f), 4 RoP]

[Free text]

INDICATION OF THE PARTIES' REQUESTS [R. 350.1(e), 4 RoP]

[Free text]

MAIN STEPS IN THE PROCEEDINGS INCLUDING IMPUGNED DECISION [OPTIONAL]

[Free text]

POINTS AT ISSUE

[Free text]

GROUND(S) FOR THE DECISION [R. 350.1(g), 4 RoP]

[Free text]

DECISION INCL. ORDERS (Operative part)

[R. 350.2, 1ST SENTENCE RoP]

Done and delivered on ... *[R. 350.1 (b) RoP]*

[note: In case the decision is delivered in writing at the end of the oral hearing, the date of delivery is the day of the oral hearing (even if grounds are issued later on)]

NAMES AND SIGNATURES	
Judges <i>[Art. 9 UPCA, Art. 35(5) UPCS]</i> <i>Presiding judge:</i> <i>Legally qualified judge: ...</i> <i>Legally qualified judge: ...</i> <i>Technically qualified judge: ...</i> <i>Technically qualified judge: ...</i> <i>Or: Judge-rapporteur: ...</i>	Registrar <i>[Art. 35(5) UPCS]</i>

<i>Or: Presiding judge: ...</i> <i><u>Or</u>: Standing judge ...</i>	
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Information about enforcement (Art. 82 UPCA, Art. Art. 37(2) UPCS, R. 118.8, 158.2, 354, 355.4 RoP)

An authentic copy of the enforceable decision will be issued by the Registrar upon request of the enforcing party, R. 73, 69 RegR.