



Hamburg - Local Chamber

UPC_CFI_22/2023
Procedural order of
the Court of First Instance of the Unified Patent Court issued
on October 27, 2023

Date of receipt of the lawsuit: June 1, 2023

DISPUTING PARTIES

- | | | |
|----|--|---|
| 1) | 10x Genomics, Inc.
(Party in the main proceedings – plaintiff 1) –
6230 Stoneridge Mall Road, 94588-3260 Pleasanton,
CA, USA | Represented by Prof. Dr. Tilmann
Müller Stoy |
| 2) | President and Fellows of Harvard College,
(Party in the main proceedings – plaintiff 2) –
Richard A. and Susan F. Smith Campus Center, Suite 727E,
1350 Massachusetts Avenue, Cambridge, Massachusetts
02138, USA | Represented by Prof. Dr. Tilmann Müller-Stoy |
| 3) | Vizgen, Inc.
(Defendant) – 61 Moulton Street, 02138 Cambridge, USA | Represented by Jérôme Kommer |

PATENT IN DISPUTE

Patent Number

Owner

EP 4 108 782

President and Fellows of Harvard College

APPLICANT

Vizgen, Inc.

(Defendant) – 61 Moulton Street, 02138
Cambridge, USA

Represented by Jérôme Kommer

ORDERING JUDGE:

Rapporteur (judge rapporteur)

PROCEDURAL LANGUAGE:

German

SUBJECT OF THE PROCEDURE:

Patent infringement lawsuit

REQUESTS OF THE PARTIES:

The defendant requests that the deadline for the defendant to file a response be extended to November 30, 2023.

She states that the extension of the deadline is necessary because the plaintiff only uploaded the attachments to the statement of claim into the CMS after being requested to do so by the local chamber on September 8, 2023.

The deadline for filing a response should therefore be extended by the period of time that the plaintiffs allowed to pass when they subsequently filed the complaint. In addition, both the originally appointed representative and the current representative of the defendant received delayed access to the case file.

The plaintiffs have agreed to the extension of the deadline.

REASONS FOR THE ARRANGEMENT:

The request for an extension of the deadline had to be granted. The statement of claim without attachments was served on the defendant on July 28, 2023. Following a request from the court on September 8, 2023, the attachments to the statement of claim were uploaded on the same day. The deadline for filing a complaint is

therefore, to extend the period of time that the plaintiffs allowed to pass with the subsequent submission of the attachments (cf. Court of Appeal, decision of October 16, 2023, UPC_CoA_320/2023, APL_572929/2023).

ARRANGEMENT:

The deadline for the defendant to file a response is extended to November 30, 2023.

DETAILS OF ARRANGEMENT:

ACTION NUMBER: ACT_460565/2023

UPC number: UPC_CFI_22/2023

Action type: Infringement Action

Related proceeding no. Application No.: 581626/2023

Application Type: Generic procedural Application

Issued in Düsseldorf on October 27, 2023

NAME AND SIGNATURE

Legally qualified presiding judge Klepsch

- Rapporteur -