



Düsseldorf local division
UPC_CFI_457/2023

procedural order
of the Court of First Instance of the Unified Patent Court local division
Düsseldorf
issued on 19 January 2024
concerning EP 3 490 258 B1

Plaintiff:

Dolby International AB, represented by its EMEA Finance Director ..., 77 Sir John Rogerson's Quay, Block C, Grand Canal Docklands, Dublin, D02 VK60, Ireland,

represented by: Attorney Dr Volkmar Henke, Attorney Dr Tilmann Müller, Bardehle Pagenberg Partnerschaft mbB, Bohnenstraße 4, 20457 Hamburg,

Patent attorney Dr Georg Arnetsberger, patent attorney Dr Johannes Möller, Bardehle Pagenberg Partnerschaft mbB, Prinzregenten- platz 7, 81675 Munich,

Electronic address for service: ...

Defendant:

1. **HP Deutschland GmbH**, represented by its managing directors, Mr ... and Mr ..., Herrenberger Straße 140, 71034 Böblingen, Germany,
2. **HP Inc.**, represented by its managing directors, 1501 Page Mill Road, Palo Alto, California 94304, U.S.A,
3. **HP International SARL**, represented by its managing directors, Route du Nant-d'Avril 150, 1217 Meyrin, Switzerland,
4. **HP Austria GmbH**, represented by its managing directors, Technologiestrasse 5, 1120 Vienna, Austria,
5. **HP France SAS**, represented by its Managing Directors, Meudon Campus Bât. 1, 14 Rue de la Verrerie, 92190 Meudon, France,
6. **HP Belgium SPRL**, represented by its Managing Directors, Hermeslaan 1a, B-1831 Diegem (H.P. Inc.), Belgium,
7. **HP Inc Danmark ApS**, represented by its managing directors, Engholm Parkvej 8, 3433 Allerød, Denmark,

8. **HP Finland Oy**, represented by its managing directors, Piispankalliontie, 02200, Espoo, Finland,
9. **HP Italy S.r.l.**, represented by its Managing Directors, Via Carlo Donat Cattin, 5 - 20063 Cernusco sul Naviglio (MI),
10. **Hewlett-Packard Nederland BV**, represented by its managing directors, Startbaan 16, 1187 XR Amstelveen, The Netherlands,
11. **HP PPS Sverige AB**, represented by its managing directors, Gustav III:s Boulevard 30, 169 73 Solna, Sweden,
12. **HPCP - Computing and Printing Portugal, Unipessoal, Lda**, represented by its directors, Building D. Sancho I, Quinta da Fonte, Porto Salvo, 2770-071 Paço de Arcos, Lisbon, Oeiras, Portugal,
13. **Hewlett-Packard d.o.o.**, represented by its managing directors, Tivolska cesta 48, 1000 Ljub- ljana, Slovenia,
14. **Hewlett-Packard Luxembourg SCA**, represented by its Managing Directors, Vegacenter, 75 Parc d'Activités, Capellen, L-8308 Capellen, Luxembourg,
15. **HP Inc Bulgaria EOOD**, represented by its Managing Directors, Mladost Region, Business Park Sofia, Building 10, Sofia 1766, Bulgaria,

Defendants 1) to 15) represented by: Dr Frank-Erich Hufnagel, lawyer

Dr Nina Bayerl, lawyer Dr Stefan Dorn, lawyer Dr Sabrina Biedermann, lawyer Eva Acker, lawyer Vanessa Werlin, Freshfields Bruckhaus Deringer Rechtsanwälte Steuerberater PartG mbB, Feldmühleplatz 1, 40545 Düsseldorf,

Electronic delivery address: ...

STREITPATENT:

European Patent No. EP 3 490 258 B1

ADJUDICATING BODY/CHAMBER:

Judges of the Düsseldorf local division:

This order was issued by presiding judge Thomas as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS: German

SUBJECT: R. 9.3 (a) RP - Extension of the time limit for opposition and defence

REASONS FOR THE ORDER:

Insofar as Rule 9.3 (a) of the Rules of Procedure grants the possibility of extending the time limit, this should only be used with caution and only in justified exceptional cases against the background of the strict time limit regime to be found in the Rules of Procedure, which serves to ensure that proceedings are conducted as quickly as possible.

Such an exceptional case exists here. The action is directed against a total of 15 defendants, most of whom are domiciled abroad. So far, service has only been realised for three defendants. With regard to the remaining defendants, service abroad is in progress, although it is currently not possible to predict how much time this will ultimately take. The willingness declared by the defendants' representatives to be appointed for all defendants should therefore considerably simplify the conduct of the proceedings and thus also be in the interests of the plaintiff. The *slight* extension of the opposition and defence periods requested by the defendants in return for individual defendants leads to a uniform time limit and therefore appears appropriate. In addition, the defendants' representatives have assured the plaintiff's side that they agree to such an extension of the deadline.

ORDER:

1. The **deadline for filing an objection (R. 19.1 VerfO)** ends uniformly for all defendants on **15 February 2024**.

Insofar as the objection period for individual defendants ends before this date due to actual service having already taken place, it will be extended accordingly with the consent of the plaintiff.

2. The **deadline for filing a statement of defence (R. 23 VerfO)** ends uniformly for all defendants on **3 May 2024**.

Insofar as the period for filing a defence ends before this date for individual defendants due to actual service having already taken place, it will be extended accordingly with the consent of the plaintiff.

3. After the defendants' representatives have in turn appointed themselves for all defendants and declared their waiver of (repeated) service with regard to the defendants who have not yet been served, the Sub-Registry is instructed to enter 12 January 2024 as the date of service in the CMS (receipt of the order) for the defendants who have not yet been served and to upload the order dated 12 January 2024 as proof of service.

DETAILS OF THE ORDER:

to application App_1714/2024 concerning the main file reference

ACT_590145/2023 UPC number: UPC_CFI_457/2023

Type of proceedings: Action for infringement

Issued in Düsseldorf on 19 January 2024 NAMES
AND SIGNATURES
Presiding judge Thomas