



UPC_CFI_440/2023
Order
of the Court of First Instance of the Unified Patent Jurisdiction, handed
down on 27/02/2024

APPLICANT :

1) **Seoul Viosys Co, Ltd**
65-16, Sandan-ro 163beon-gil,
Danwon-gu - 15429 - Ansan-si,
Gyeonggi-do - KR

Represented
by Pauline
Debré

DEFENDER :

1) **Laser Components SAS**
45B Route des Gardes
92190 - Meudon - FR

Represented by Helge
von Hirschhausen

LANGUAGE OF PROCEDURE: French

PATENT IN SUIT :

<i>Patent number</i>	<i>Owner</i>
EP3404726	Seoul Viosys Co, Ltd

JUDGE WHO RULES :

Judge-Rapporteur

Camille Lignieres

ORDER

Having regard to the request of SAS LASER COMPONENTS of 16 February 2024 for the language of proceedings to be changed from French to English, the language in which the patent was granted,

Having regard to the opinion of the panel, which is not in favour of the change of language as proposed,

grounds for the decision

Pursuant to rule 322 of the Rules of Procedure (RoP), the judge-rapporteur may on his own initiative or at the request of a party, after consulting the chamber, propose to the parties that the language of proceedings be changed to the language in which the patent was granted, in accordance with Article 49 § 4 of the Agreement. If the parties and the Chamber agree, the language of proceedings is changed.

Article 49.4 of the Unified Patent Jurisdiction Agreement provides that, with the agreement of the parties, the competent chamber may, for reasons of convenience and fairness, decide to use as the language of proceedings the language in which the patent was granted.

In the present case, the European patent at issue was granted in English.

The plaintiff, a Korean company, has chosen to bring its action in French, which respects the rights of the defendant, a French company established in France.

Neither the nationality of the representative of one of the parties, nor the nationality of the enforced intervener, which at this stage has not been shown to be a party to the proceedings, constitute serious grounds, either for reasons of convenience or for reasons of fairness, for proposing a change in the language of the proceedings to the parties.

Consequently, the request made by the representative of SAS LASER COMPONENTS must be rejected.

FOR THESE REASONS

Let us say that there is no reason to propose to the parties a change of language of proceedings as requested by the representative of SAS LASER COMPONENTS.

Paris, 27 February 2024.

C.LIGNIERES, Judge-Rapporteur.

DETAILS OF THE ORDER

Order n° ORD_10099/2024 in ACTION N°: ACT_588685/2023 UPC n° :
UPC_CFI_440/2023
Type of action: Infringement action