



**Local division Munich
UPC_CFI_9/2024**

**Procedural order
of the Court of First Instance of the Unified Patent Court
Local Division Munich
issued on 9 September 2024**

CLAIMANT

Huawei Technologies Co Ltd

represented by: Dr Tobias J. Hessel (Clifford Chance).

DEFENDANTS

- 1) Netgear Deutschland GmbH**
- 2) Netgear Inc.**
- 3) Netgear International Limited**

represented by: Dr Stephan Dorn (Freshfields).

PATENT AT ISSUE

European Patent No. 3 611 989.

PANEL/CHAMBER

Panel 1 of the Local Division Munich.

PARTICIPATING JUDGES

This order was issued by the presiding Judge Dr Matthias Zigann as judge-rapporteur.

LANGUAGE OF PROCEEDINGS

German.

SUBJECT MATTER

Action for infringement - Rule 9

STATEMENT OF THE FACTS

Under point 3 of the order of 30 August 2024 pursuant to R 105.5 RoP, the appointment of an expert for translations was ordered.

Subsequently, the plaintiff informed the court under App_47068/2024 that the translation submitted by the defendants, i.e. the document submitted as 'PrioAnmÜ-SP', could be used as a basis in the present proceedings.

In response to an enquiry by the court, the plaintiff also informed the court by email that it was undisputed between the parties that the Chinese-language documents PrioAnm, StammAnmCN and UrAnm were identical with regard to the passages relevant to the present legal dispute (namely in particular with regard to the explanations on 'Preferred Embodiment 2'). The defendant's request for evidence of 14 August 2024 was therefore in total redundant.

The defendants have confirmed this representation under App_47068/2024.

ORDER

Paragraph 3 of the order of 30 August 2024 is set aside.

INFORMATION ON REVIEW BY THE ADJUDICATING BODY

Any party may request a review of this order by the panel pursuant to R. 333 of the Rules of Procedure. Until the review, the order remains effective (R. 102.2 ORP).

DETAILS OF THE ORDER

Order no. ORD_50813/2024 in the PROCEDURE NUMBER: ACT_459771/2023

UPC number: UPC_CFI_9/2023

Nature of the proceedings: Action for infringement

Signed in Munich on 9 September 2024

Digitally signed by
Matthias ZIGANN
Date: 2024.09.09 09:43:38 +02'00'

Dr Zigann Presiding Judge