



Unified Patent Court  
Einheitliches Patentgericht  
Juridiction unifiée du brevet

**Paris-Central division**  
**Case n° PR\_ACT\_536477/2023**  
**Procedural Order**  
**Of the Court of First Instance of the Unified Patent Court**  
**Delivered on 5/07/2023**

Date of receipt of the information by the Registry according to Rule 16-5 RoP: 4/07/2023

**CLAIMANT:**

BITZER Electronics A/S  
Kærvej 77  
6400 Sønderborg  
Denmark

**DEFENDANT:**

Carrier Corporation, Farmington, CT 06032 (US)

**PATENT AT ISSUE:**

No. EP 3 414 708 B1

**DECIDING JUDGE:**

Standing judge

**Camille GARROS LIGNIERES**

**LANGUAGE OF PROCEEDINGS: English**

## **ORDER**

The Registry informed the Standing judge assigned to Pool 3 that an order shall be taken pursuant to Rule 16-5 of the Rules of Procedure (RoP).

Having regard to R. 345.5 RoP, according to which a standing judge is designated for “urgent actions”,

Having regard to R.16.5 RoP, according to which “if the claimant fails to correct the deficiencies (...), the Registry shall inform a judge of the division who may reject the action as inadmissible by a decision by default. The judge may give the claimant an opportunity to be heard beforehand.”

The case at stake should not have been forwarded to the standing judge, as it is not an urgent action as mentioned in R. 345.5 RoP.

The abovementioned R. 16-5 RoP is not applicable in the present situation, as the claimant did not fail to correct the deficiencies within 14 days of service of the Registry’s notification but was only asked to amend the statement of claim according to the relevant correction provided in a separate document. The claimant is at the time of the present order allowed to lodge an amended statement of claim pursuant to R. 16-3 RoP.

Consequently, there is no grounds for forwarding the case to a judge of the relevant division, neither for taking any decision pursuant to R. 16.5 RoP.

## **INSTRUCTIONS TO THE PARTIES AND TO THE REGISTRY**

The proceedings shall be forwarded to the Registry to proceed according to R. 16.3 a) RoP.

### **NAMES AND SIGNATURES**

**Standing judge**

*Camille GARROS LIGNIERES*

**Deputy-Registrar**

*Axel JACOBI*

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