



Procedural Order
of the Court of First Instance of the Unified Patent Court
issued on 20 November 2024
concerning EP 4 026 488

CLAIMANT:

DexCom, Inc., 6340 Sequence Drive, San Diego, California 92121, USA, represented by its CEO Kevin Sayer,

represented by: Dr. Markus Grosch, Dr. Johannes Bukow, Dr. Jan Axtmann, Paul Lehmann, Quinn Emanuel Urquhart & Sullivan LLP, Mollstraße 42, 68165 Mannheim, Germany,

electronic address for service: marcusgrosch@quinnemanuel.com

DEFENDANTS:

1. **Abbott Laboratories**, 100 Abbott Park Road, Abbott Park, Illinois 60064-6400, USA, represented by its board of directors which is represented by the CEO Robert Ford,
2. **Abbott Diabetes Care Inc.**, 1360 South Loop Road, Alameda, California 94502, USA, represented by its president Jared Watkin,
3. **Abbott GmbH**, Max-Planck-Ring 2, 65205 Wiesbaden, Germany, represented by its managing director Konstantinos Varlas,
4. **Abbott Diagnostics GmbH**, Max-Planck-Ring 2, 65205 Wiesbaden, Germany, represented by its managing directors Philip Boudreau and Konstantinos Varlas,
5. **Abbott Laboratories GmbH**, Freundallee 9A, 30173 Han-over, Germany, represented by its managing directors Gregor Benning, Bradley Slater and Frank Weitekämper,
6. **Abbott Logistics B.V.**, Meeuwenlaan 4, 8011BZ Zwolle, The Netherlands, represented by its directors Hendrikus Lueb and Philip Boudreau,
7. **Abbott France (S.A.S.)**, 40/48 rue d'Arcueil, 94593 Rungis, France, represented by its president Philippe Emery,
8. **Abbott s.r.l.**, Viale Giorgio Ribotta 9, 00144 Rome, Italy, represented by the chairman of its boards of directors Massi-miliano Bindi,

9. **Abbott Gesellschaft m.b.H**, Perfektastraße 84A, 1230 Vienna, Austria, represented by its directors Martin Hochstöger, Gerhard Wiesinger and Bradley Slater,
10. **Abbott B.V.**, Wegalaan 9, 2132JD Hoofddorp, The Netherlands, represented by its directors Hendrikus Lueb and Bradley Slater,
11. **Abbott (S.A./N.V.)**, Avenue Einstein 14, 1300 Wavre, Belgium, represented by its directors Hendrikus Lueb, Hasna Nadir and Bradley Slater
12. **Abbott Scandinavia Aktiebolag**, Hemvärnsgatan 9, 171 54 Solna, Sweden, represented by its board of directors which is represented by the chairman of the board Karl Almroth
13. **Abbott Oy**, Karvaamokuja 2 A, 00380 Helsinki, Finland, represented by its chairman of the board and chief executive officer Karl Almroth

all Defendants represented by: Dr. Dietrich Kamlah, Dr. Christian Lederer, Dr. Gisbert Hohagen, Taylor Wessing Partnerschaftsgesellschaft mbB, Isartorplatz 8, 80331 München, Germany

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PATENT AT ISSUE:

European patent n° EP 4 026 488

PANEL/DIVISION:

Panel of the Local Division in Düsseldorf

DECIDING JUDGES:

This order was issued by Presiding Judge Thomas acting as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS: English

SUBJECT OF THE PROCEEDINGS: R. 9.3 (a) RoP – Extension of time periods

GROUNDS FOR THE ORDER:

The Court notes that the Defendants have not consented to the extension of the time limits. However, the requested extension is justified on the grounds of fairness and equity (see the 5th recital in the Preamble to the Rules of Procedure), since the previous time limit was, with the consent of the Claimant, extended to a similar extent in favour of the Defendants.

If the relevant workflows are (still) blocked at the time the pleadings need to be uploaded to the CMS, there is no objection to using the R. 9 RoP workflow.

ORDER:

At the request of the Claimant, the time limit for filing the Rejoinder to the Counterclaim for

revocation according to R. 29(e) RoP (CC_33181/2024) and for filing the Reply to the conditional Application to amend according to R. 32.3 clause 1 RoP (Appl. No. 45165/2024) are extended **until 11 December 2024.**

DETAILS OF THE ORDER:

App_60996/2024 related to the main proceeding ACT_596853/2023 and CC_33181/2024

UPC-Number: UPC_CFI_499/2023

Subject of the Proceedings: Patent infringement action and Counterclaim for revocation

Issued in Düsseldorf on 20 November 2024

Presiding Judge Thomas