



Local Division Munich
UPC_CFI_566/2024

Order
of the Court of First Instance of the Unified Patent Court
Local Division Munich
issued on 12 February 2025

CLAIMANT

Syngenta Limited, Jealott's Hill International Research Centre, RG42 6EY, Bracknell, Berkshire – GB

represented by: Benjamin Grzimek, Dr. Jörn Peters, Aylin Cremers (Fieldfisher)
Prof. Dr. Aloys Hüttermann (Michalski, Hüttermann & Partner)
Dr. Filip Alois J. De Corte, Dr. Christopher Andrews (Syngenta Crop Protection AG)

DEFENDANTS

- 1) Sumi Agro Limited**, Bürgermeister-Neumeyr-Str. 7 - 85391 - Allershausen – DE
- 2) Sumi Agro Europe Limited**, Bürgermeister-Neumeyr-Str. 7 - 85391 - Allershausen – DE

represented by: Gareth Williams (Marks & Clerk)
Johannes Heselberger, Dr. Axel B. Berger, Dr. Kerstin Galler (Bardehle Pagenberg)

PATENT AT ISSUE

European patent n° 2 152 073

PANEL/DIVISION

Panel 1 of the Local Division Munich

DECIDING JUDGES

This order has been issued by the presiding judge Dr. Matthias Zigann acting as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS

English

SUBJECT-MATTER OF THE PROCEEDINGS

Patent infringement;
scheduling of the interim conference and the oral hearing

ORDER

1. The date for the Interim Conference via videoconference is set for 6 October 2025, 10.00 a.m.
2. Suggestions for topics for the Interim Conference may be submitted until 19 September 2025.
3. The date for the Oral Hearing in person at Denisstr. 3 in Munich, room 212 and overflow room 220b, is set for 10 December 2025, 9.00 a.m.
4. The parties are summoned to the Interim Conference and the Oral Hearing.
5. The Judge-Rapporteur requests the President of the Court of First Instance to assign Judge Dorland-Galliot to the panel as a technically qualified judge pursuant to Article 34(1) of the Rules of Procedure.

INSTRUCTIONS TO THE PARTIES

The Interim Conference and the Oral Hearing will deal with the Infringement Complaint and possibly the Counterclaim for Revocation. The Panel will decide at a later stage under Rule 37 of the Rules of Procedure. Syngenta is invited to submit observations on this issue in its next written submission.

INFORMATION ABOUT REVIEW BY PANEL

Any party may request that this Order be referred to the panel for a review pursuant to R. 333 RoP. Pending review, the Order shall be effective (R. 102.2 RoP)

INFORMATION ABOUT ORAL HEARING HELD IN COURT

The oral hearing shall be open to the public unless the Court decides to make it, to the extent necessary, confidential in the interests of one or both parties or third parties or in the general interest of justice or public order (R. 115 RoP).

INFORMATION ABOUT AUDIO RECORDING

The interim conference and the oral hearing shall be audio recorded. The recording shall be made available at the premises of the Court to the parties or their representatives after the oral hearing (R. 106, 115 RoP).

INFORMATION ABOUT ABSENCE OR DELAY OF A REPRESENTATIVE

A decision by default may be given, upon request, against a party that was duly summoned but fails to appear at the oral hearing (R. 355.1 (b) RoP).

INFORMATION ABOUT DECISION BY DEFAULT

Should a party fail to comply with the present Order within the time period specified, a decision by default may be given in accordance with R. 355 RoP (R. 103.1, last subparagraph and .2 RoP).

DETAILS OF THE ORDER

Order no. ORD_68881/2024 in ACTION NUMBER: ACT_53813/2024

UPC number: UPC_CFI_566/2024

Action type: Infringement Action

Dr. Zigann
Presiding Judge