



Local division Munich
UPC_CFI_156/2024

Order
of the Court of First Instance of the Unified Patent Court in the
proceedings for the preservation of evidence
concerning European patent 2 643 717
issued on: 19 February 2025

KLÄGERIN

- 1) **SWARCO FUTURIT** Represented by:
 Traffic signalling systems Ges.m.b.H. Alexander Koller
 (Applicant) - Manfred Swarovski-
 Street 1 - 7343 - Neutal - AT

DEFENDANTS (Rule 192)

- 1) **Yunex GmbH** Represented by:
 (defendant) - Otto-Hahn-Ring 6 - 81739 - Hosea Haag
 Munich - DE

APPLICANT (Rule 262.1b)

- 1) **Chainzone Technology (Foshan) Co,** Represented by:
 Ltd. Bernhard Henhapel
 (Applicant) - Chainzone Tech. Industrial
 Park, Taishan Bei Rd, Sanshan Avenue,
 Nanhai District - 528200 -
 Foshan City, Guangdong Province - CN

PATENT IN DISPUTE

<i>Patent no.</i>	<i>Owner</i>
EP2643717	SWARCO FUTURIT Traffic Signalling Systems Ges.m.b.H.

DECIDING JUDGE

COMPOSITION OF THE PANEL (1) - COMPLETE COMPOSITION

Presiding judge and judge-rapporteur	Matthias Zigann
Legally qualified judge	Tobias Pichlmaier
Legally qualified judge	Mojca Mlakar

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

LANGUAGE OF THE PROCEEDINGS: German

OBJECT:

Application for access to file - Rule 262.1.b RoP App_25380/2024
UPC_CFI_156/2024

FACTS AND APPLICATIONS

Chainzone requested:

"Regarding file CFI 156/2024 (ACT 16855/2024), it is requested in accordance with R.262.1(b) of the Rules of Procedure that the request of the applicant SWARCO Futurit Verkehrssignalsysteme Ges.m.b.H. (hereinafter referred to as 'SWARCO'), including the enclosures, be made available to the applicant".

On 2 August 2024, a public oral hearing on this matter was held by video conference.

With regard to the request for access to the file pursuant to Rule 262.1.b RoP, SWARCO has informed the court Chainzone has now been admitted as an intervening party in the proceedings before the Vienna local division. Consequently, there are no longer any reservations per se about granting access to the files to the extent requested in the present case.

By Order of the same day, the judge-rapporteur postponed a decision on the request until a decision had been reached in the proceedings to preserve evidence. He justified this with the interest in being able to conduct proceedings, in particular proceedings for the preservation of evidence, without disruption.

On 19 February 2025, the local division issued an Order pursuant to Rule 360 RoP with regard to the proceedings for the preservation of evidence. The application must therefore now be returned to.

REASONS

Access to the files must be granted. No reasons for not granting access have been presented or are otherwise apparent.

ORDER

1. Chainzone is granted access as requested.
2. SWARCO may designate any personal data to be redacted from the register within 10 days.
3. The inspection of files only includes a redacted version in accordance with section 2.

INSTRUCTIONS TO THE REGISTER

If requested in due time, redact the subject of the file inspection in accordance with the General Data Protection Regulation and make it accessible to Bernhard Henhapel.

ORDER DETAILS

Order No. ORD_8499/2025 in PROCEDURE NUMBER: App_25380/2024

UPC number: UPC_CFI_156/2024

No. of the related proceedings Application no.: 16855/2024

Type of application: Application for preservation of evidence pursuant to Rule 192 of the Regulation

Matthias ZIGANN

Digitally signed by Matthias
ZIGANN
Date: 2025.02.19 16:12:19
+01'00'

Dr Zigann
Presiding judge and judge-rapporteur