

UPC_CFI_819/2024
Procedural Order
of the Court of First Instance of the Unified Patent Court
issued on 2 July 2025

Claimant

Corning Incorporated, One Riverfront Plaza - 14831 - Corning - US

represented by: Dr. Marcus Grosch, Quinn Emanuel Urquhart & Sullivan, LLP,
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Defendants

- 1) **Hisense Gorenje Germany GmbH,**
(Applicant) - Parkring 31-33, 85748 Garching near Munich, Germany

- 2) **Hisense Europe Holding GmbH,**
Wienerbergstraße 11, Turm B, Stock 13, 1100 Vienna, Austria

- 3) **TCL Deutschland GmbH & Co. KG**
(Applicant) - Bernhard-Wicki-Straße 5 - 80636 - München - DE

- 4) **TCL Deutschland Verwaltungs GmbH**
(Applicant) - Bernhard-Wicki-Straße 5 - 80636 - München - DE
- 5) **TCL Operations Polska, Sp. z o.o.**
(Applicant) - ul. A. Mickiewicza 31/41 - 96-300 - Żyrardów - PL
- 6) **TCL Belgium, SA,**
(Applicant) - Rue du Paruck 35/19, 1080 Molenbeek-Saint-Jean, Belgium
- 7) **LG Electronics Deutschland GmbH,**
(Applicant) - Alfred-Herrhausen Allee 3-5, 65760 Eschborn, Germany
- 8) **LG Electronics European Shared Service Center B.V.,**
(Applicant) - Krijgsman 1, 1186 DM Amstelveen, the Netherlands
- 9) **LG Electronics European Holding B.V.,**
(Applicant) - Krijgsman 1, 1186DM Amstelveen, the Netherlands

Defendants 1) and 2) represented by : Stephan Dorn, Freshfields PartG mbB, Feldmühleplatz 1,
40545 Düsseldorf, Germany

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Defendants 3) – 9) represented by: Felix Rödiger, Bird & Bird LLP
Carl-Theodor-Str. 6 - 40213 - Düsseldorf – DE

electronic address for service: felix.roediger@twobirds.com

PATENT AT ISSUE: EP 3 296 274

DECIDING JUDGES: Peter Tochtermann acting as presiding judge and judge-rapporteur

LANGUAGE OF PROCEEDINGS: English

SUBJECT OF THE PROCEEDINGS: Extension of time limit

GROUND FOR THE ORDER:

Claimant requests an extension of the term for filing the Reply to the Statement of Defence and the Defence to the Counterclaim including an Application to amend the patent by two weeks. The extension requested aims at compensating for the time needed to establish a confidentiality regime for the proceedings and that in the meantime Claimant and its representatives did not have unlimited access to the facts presented by the defendants in their respective briefs.

It is established case law of the Local Division Mannheim that the term extension must, in principle, compensate for and correspond to the period during which a party of the proceedings does not have full access to the subject matter of the case for the purpose of pursuing its patent rights (cf., LD Mannheim, order dated September 9, 2024 – CFI 219/2023 and 223/2023, GRUR-RS 2024, 25617 marg. nos. 9 et seq. – Panasonic Holdings v. Xiaomi Technology). This practice had been confirmed by the CoA (cf. order dated October 13, 2023 – CoA 320/2023, GRUR 2023, 1761, 1763 et seq. – Sanofi-Aventis Deutschland et al. v. Amgen).

Applying this principle to the case at hand an extension as requested is justified as Claimant did not have full access to the facts for three weeks. Before this backdrop an extension of two weeks appears to be justified and necessary in order to allow the party concerned to adequately react to the facts submitted. In this context it had to be taken into consideration that the redactions had not only been limited to minor parts and points of the briefs but concerned points which may be fundamental for the resolution of the case. Furthermore, the defendants had also been granted an extension for the preparation of their briefs to which now Claimant has to respond.

ORDER:

It is ordered:

The term for filing the Reply to the Statement of Defence and the Defence to the Counterclaim (R. 29(a) RoP) including an Application to amend the patent (R. 30.1 RoP) is extended by two weeks (i.e., until July 29, 2025).

Issued in Mannheim on 2 July 2025

NAMES AND SIGNATURES

Peter Tochtermann
Presiding judge and judge-rapporteur