



Düsseldorf local division
UPC_CFI_1927/2025

Provisional procedural order
of the Court of First Instance of the Unified Patent Court
issued on 25 February 2026
concerning EP 3 001 984 B1

APPLICANT:

Ottobock SE & Co. KGaA, represented by Ottobock Management SE, represented by managing directors Martin Böhm, Dr Arne Kreitz, Oliver Jakobi and Arne Jörn, Max-Näder-Straße 15, 37115 Duderstadt, Germany,

represented by: Sören Dahm, Attorney-at-law, Robert Knaps, Attorney-at-law, Nicole Schopp, Attorney-at-law Christoph Heringlake, law firm Kather Augenstein, Bahnstraße 16, 40212 Düsseldorf, Germany

electronic delivery address: dahm@katheraugenstein.com

supported by: Patent Attorney Kai Stornebel, Gramm, Lins & Partner Patent- und Attorneys-at-law PartGmbH, Frankfurter Strasse 3C, 38122 Braunschweig, Germany

RESPONDENTS:

1. **BrainPortfolio Inc.**, represented by its legal representatives, c/o Brian Long, 1826 Kramer Lane, Suite A/B, Austin, TX 78758, United States of America

2. **BrainRobotics Inc.**, represented by its legal representatives, c/o Brian Long, 1826 Kramer Lane, Suite A/B, Austin, TX 78758, United States of America

represented by: Attorney-at-law Dr Marcus Grosch, Dr Johannes Bukow, Attorney-at-law
Tonio Allendorf, Hermann-Sack-Straße 3, 80331 Munich, Germany

electronic delivery address: marcusgrosch@quinnemanuel.com

PATENT AT ISSUE:

EUROPEAN PATENT NO. EP 3 001 984 B1

Panel/Chamber:

Panel of the local division Düsseldorf

PARTICIPATING JUDGES:

This order was issued by Judge Dr Thom as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS: German

SUBJECT: R. 209.1 (b) RoP – Summons for an oral hearing

ORDER:

1. It is ordered that the parties represented by representatives be summoned to the oral hearing (R. 209.1 (b) RoP in conjunction with R. 8.2, 108 RoP), which will take place on

22 April 2026, 9:30 a.m., Room BZ 5

at the premises of the Düsseldorf local division, Cecilienallee 3, 40474 Düsseldorf.

2. The applicant will have the opportunity to respond to the respondents' preliminary objection by **9 March 2026**.

The respondents will then have the opportunity to reply to this by **23 March 2026**.

In order to ensure proper preparation for the oral hearing, the above deadlines cannot be extended. This also applies if the opposing party agrees to such an extension.

3. The President of the Court of First Instance is requested to assign an additional technically qualified judge to the panel in accordance with Article 18(3) UPC Agreement, to allocate an additional technically qualified judge to the panel who has the relevant qualifications and experience in the field of technology covered by the patent at issue (classification A61F/A61B) (see UPC_CFI_452/2023 (LD Düsseldorf), order of 25 January 2024).

INSTRUCTIONS TO THE PARTIES AND THE REGISTRY REGARDING THE NEXT STEPS IN THE PROCEEDINGS:

The parties are instructed to provide the branch office of the local division of the Registry in Düsseldorf (contact.dusseldorf.loc@unifiedpatentcourt.org) with the names and qualifications of each person who will participate in the oral hearing by **10 April 2026**.

If individual participants are to be connected via video conference, the parties shall also provide a telephone number at which the Registry can reach the person concerned on the day of the oral hearing.

The parties have the right to request simultaneous interpretation under the conditions specified in Rule 109 of the RoP.

Issued in Düsseldorf on 25 February 2026 NAMES
AND SIGNATURES

Anna
Bérénice Dr
THOM

Digitally signed by
Anna Bérénice Dr.
THOM
Date: 25 February 2026
14:40:44 +01'00'

Judge Dr Thom