



LISBON – LOCAL DIVISION

UPC_CFI_1920/2025

ORDER

of the Court of First Instance of the Unified Patent Court

issued on 22 June 2026

CLAIMANT:

ILLUMINA, INC.

represented by

Bethan Hopewell, Joel Coles, Peter FitzPatrick of Powell Gilbert (Europe) LLP, Dublin;

Ellis King of Powell Gilbert LLP, London;

Sara Nazaré of Nazaré, Lima, Piriquito Santos & Associados Sociedade de Advogados, SP, RL, Lisbon)

DEFENDANTS:

Element Biosciences, Inc

Element Biosciences Netherlands B.V.

I.L.C. - Instrumentos de Laboratório e Científicos LDA

represented by
Dr. Marcus Grosch, Dr. Johannes Bukow, Anton Noldenn, Kai Mütze
of
Quinn Emanuel Urquhart & Sullivan, LLP

PATENT AT ISSUE:

EUROPEAN PATENT NO EP3714978

PANEL:

Presiding judge and

Judge-rapporteur: Rute Lopes

Legally qualified judge: Stefan Johanssen

Legally qualified judge: Stefan Schilling

Technically qualified judge: Steen Wadskov-Hansen

LANGUAGE OF THE PROCEEDINGS: English.

SUBJECT OF THE PROCEEDINGS:

Infringement action with Counterclaim for revocation – R. 28, 37 and 105 RoP.

GROUND FOR THE ORDER

1. Following the communication issued by the Court to the parties, both parties have agreed on:
 - That infringement and counterclaim are heard together – R. 37.2 RoP.
 - Holding an Interim Conference on 16 October 2026.
 - That the Oral Hearing takes place on 17 December 2026.

2. Technical Qualified Judge Steen Wadskov-Hansen has been appointed to this case by the President of the Court of First Instance.

ORDER

1. Counterclaim

- This panel will proceed with both the infringement action and the counterclaim for revocation.

2. Interim Conference

- The interim conference will be held on 16 October 2026 at 9:30 a.m., by videoconference (Lisbon time).
- The parties are invited to suggest topics for the interim conferences by 6 October 2026.
- The parties shall inform the sub-registry by email of the participants' names and functions by 6 October. The Registry will send out the invitations for the videoconference.
- The parties are summoned to attend the Interim conference.

3. Oral Hearing

- The Oral Hearing will be held in person at the Lisbon Local Division in Lisbon on 17 December 2026 at 9. a.m.
- The parties are summoned to attend the Oral Hearing.
- The parties shall inform the sub-registry by email of the participants' names and functions by 7 December.

RUTE LOPES PRESIDENT AND JUDGE RAPPORTEUR	
STEFAN JOHANSSON LEGALLY QUALIFIED JUDGE	
STEFAN SCHILLING LEGALLY QUALIFIED JUDGE	
STEEN WADSKOV-HANSEN TECHNICALLY QUALIFIED JUDGE	