



UPC Court of Appeal:
UPC-CoA-108/2026

ORDER
of the Court of Appeal of the Unified Patent Court
issued on 16 July 2026
concerning application for the correction of the Statement of appeal and the register

APPELLANT (CLAIMANT AND COUNTERDEFENDANT IN THE MAIN PROCEEDINGS BEFORE THE COURT OF FIRST INSTANCE):

AIM SPORT DEVELOPMENT AG, Luzern, Switzerland

(hereinafter referred to as 'AIM')

represented by attorneys at law Ari Laakkonen and other representatives of the law firm Powell Gilbert (Europe) LLP, Dublin, Ireland as well as David Por of the law firm Clifford Chance Europe LLP, Paris, France

RESPONDENTS (DEFENDANTS AND COUNTERCLAIMANTS IN THE MAIN PROCEEDINGS BEFORE THE COURT OF FIRST INSTANCE):

1. **TGI SPORT SUOMI OY** (previously SUPPONOR OY), Espoo, Finland
2. **TGI SPORT VIRTUAL LIMITED** (previously SUPPONOR LIMITED), London, United Kingdom
3. **TGI SPORT FRANCE SASU** (previously SUPPONOR SASU), Biot, France
4. **TGI SPORT ITALIA S.R.L.** (previously SUPPONOR ITALIA SRL), Busto Arsizio, Italy
5. **TGI SPORT MARKETING ESPAÑA, S.L.** (previously SUPPONOR ESPAÑA SL), Barcelona, Spain
6. **[TGI SPORT VIRTUAL UK LIMITED** (previously SUPPONOR U.K. LTD), London, United Kingdom]

(hereinafter jointly referred to as 'TGI')

all represented by attorneys at law Dr. Henrik Lehment of the law firm Hogan Lovells International LLP, Düsseldorf, Germany, Dr. Matthias Sonntag of the law firm Gleiss Lutz, Düsseldorf, Germany and other representatives authorised to practice before the Unified Patent Court

PATENT IN SUIT:

EP 3 295 663

LANGUAGE OF THE PROCEEDINGS:

English

PANEL AND DECIDING JUDGES:

Panel 2

Patricia Rombach, judge-rapporteur and legally qualified judge

IMPUGNED ORDER OF THE COURT OF FIRST INSTANCE:

Date: 29 April 2026, Helsinki Local Division,

Action number attributed by the Court of First Instance:

ACT_551054/2023 (provisional measures proceedings, R. 360 RoP)

SUMMARY OF THE FACTS AND THE REQUESTS:

1. AIM filed an infringement action (UPC-CFI-214/2023) together with an application for provisional measures (hereinafter referred to as 'PI', ACT_551054/2023) against TGI. TGI Sport Virtual UK Limited was added as Defendant 6 to the infringement action, following an application by AIM pursuant to R. 263 RoP to amend its Statement of Claim. The Helsinki Local Division upheld TGI's preliminary objection and dismissed both the infringement action and the PI application for lack of competence and jurisdiction.
2. On 12 November 2024 (UPC-CoA-489/2023 and UPC-CoA-500/2023) the Court of Appeal set aside the orders of the Helsinki Local Division and referred the action and the application for provisional measures back to the Helsinki Local Division. The PI proceedings were subsequently discontinued. The Helsinki Local Division deferred any decision on costs pending the outcome of the infringement action.
3. On 29 April 2026, the Helsinki Local Division dismissed the infringement action and, in the impugned order disposed of the PI application (ACT_551054/2023).
4. AIM filed an appeal against the impugned order as well as against the decision dismissing the infringement action. The statement of appeal relating to the PI proceedings also lists TGI Sport Virtual UK Limited as Defendant 6. The Court invited AIM to comment on the question of why TGI Sport Virtual UK Limited is included as respondent.

PARTY'S SUBMISSIONS

5. In summary, AIM submits that the inclusion of TGI Sport Virtual UK Limited was an error and requests that TGI Sport Virtual UK Limited be considered deleted from the Statement of Appeal.

REASONS:

6. The Registry's completion and validation of the formal requirements in the Case Management System should not be understood as a determination that all formal requirements under R. 225, 226 and 299 RoP, or any other applicable provisions, have been fully and finally satisfied. Rather, it signifies that the Registry has conducted its examination of the formal requirements at that stage of the proceedings. The Court remains entitled, at any subsequent stage, to raise questions, seek clarifications, request further information or documentation, and make inquiries concerning compliance with procedural formalities, the payment of court fees, or any other matter relevant to the proper conduct of the proceedings.
7. The Statement of Appeal contains an obvious error in including TGI Sport Virtual UK Limited as respondent. This error must be corrected at AIM's request. TGI Sport Virtual UK Limited must be considered deleted from the Statement of Appeal.
8. According to R. 56 in conjunction with R. 73 of the Rules governing the Registry of the Unified Patent Court, the Registrar shall ensure that case files are complete and accurate recordings

of the proceedings. Therefore, if an obvious error is identified, it must be corrected.

9. This order does not disadvantage TGI Sport Virtual UK Limited. It was therefore not necessary to hear TGI Sport Virtual UK Limited.

ORDER:

1. TGI Sport Virtual UK Limited must be considered deleted from the Statement of Appeal.
2. It is ordered that the Registry remove TGI Sport Virtual UK Limited from the register in the proceedings UPC-CoA-108/2026.

Issued on 16 July 2026

Patricia Rombach, judge-rapporteur and legally qualified judge

Case management decisions or orders made by the judge-rapporteur shall be reviewed by the panel, on a reasoned Application by a party (R. 333.1 RoP).