**Themes for UP-Litigation webinar:**

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| **1. Starting UPC-Litigation – how, where and when?** |
| Date: second week of February, preferably Wednesday (February 15, 2023) |
| Topics:   * System shopping: UPC vs national litigation and UPC vs opposition proceedings * Forum shopping: which Local Division? Instead Central Division if applicable? * Several patents in play: just one proceedings? Connection of proceedings? * Multiple Plaintiffs (Licensee/Licensor/multiple Generics in revocation actions) / Defendants (Spider in the web, anchor defendant) * Language regime |
| Speakers:  Moderator – Alexander Haertel  Industry – Juliane Buchinski (ZTE)  Attorney – Julia Ericsson / Eszter Szakacs  Attorney – Mark van Gardingen (?) (Marleen)  Judge – Walter Schober (AT)  Judge – Stefan Johansson (SE - Alex) |
| **2. On the road: how to finetune your strategy while driving the UPC-wagon** |
| Date: second week of March, preferably Wednesday (March 15, 2023) |
| Topics:   * Strategies for patent owners (plaintiffs in infringement proceedings, defendants in nullity proceedings) * Strategies for opponents of patent owners (defendants in infringement proceedings, plaintiffs in nullity proceedings) * Nullity counterclaim: will local divisions decide by themselves or bifurcate to central division? * Remedies: In which cases no injunction despite infringement (“may” – discretion/proportionality – Ebay?) * If injunction is granted: Security to be imposed? * If injunction is lifted: Bayer/Richter? * Will the UPC be able to fulfil the timeline promise? |
| Speakers:  Moderator – Thomas Adocker  Industry – Kristin Cooklin (Zentiva) (Marleen)  Industry – Alexander Haertel (Deutsche Telekom)  Attorney – Marleen van den Horst  Judge – Peter Tochtermann (DE - Alex)  Judge – Camille Lignieres (FR - Thomas) |
| **3. Special Topics** |
| Date: third week of April, preferably Wednesday (April 19, 2023) |
| Topics:   * In which cases (ex parte) PI proceedings (validity? – CJEU decision, protective letters) * how will UPC judges from various countries decide on topics that presently keep them apart, like e.g. doctrine of equivalence, plausibility? Establishing new case law takes time at the detriment of predictability * Parallel Proceedings EPO / UPC * Cost reductions for SMEs: how will it be handled * Seizure proceedings * Following the seizure: protection of trade secrets related to seized information |
| Speakers:  Moderator – Marleen van den Horst  Industry – Originator (Novartis – Thomas/Pfizer – Eszter)  Attorney – Arno Risse (?)  Attorney – Thomas Adocker  Judge – Peter Blok (NL)  Judge – Paolo Costalozzi (IT - Alex) |