

# Kluwer Patent Blog

## UPC Christmas Quiz

Brian Cordery, Rachel Mumby, Eden Winlow (Bristows) · Friday, November 29th, 2024



As we approach 18 months since the UPC opened its doors and the festive season, we thought this would be a good time to offer our readers the chance to showcase their UPC knowledge by participating in the Kluwer UPC Christmas Quiz. We have set 20 questions with multiple choice answers. Please submit your answers by email to Anja Kramer at Kluwer: [anja.kramer@wolterskluwer.com](mailto:anja.kramer@wolterskluwer.com) by no later than 1700 CET on Friday 13 December.

The entrant with the most correct answers will receive a copy of The Unitary Patent and the Unified Patent Court by Callens and Granata kindly donated by the Kluwer team. In the event that several entrants have the same number of correct answers, a winner will be randomly chosen and notified.

Good luck!



1. When was the UPC Agreement signed?

- a) 2013
- b) 2015
- c) 2020
- d) 2021

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2. Can parties typically obtain extensions for deadlines in UPC proceedings?
- a) No, all deadlines are fixed and non-negotiable
  - b) Yes, but only in exceptional cases and with permission from the court
  - c) Yes, automatically for up to one month
  - d) Only patent holders can obtain extensions
3. What is the usual timeframe for the UPC to reach a hearing on a first-instance infringement case?
- a) 1-2 months
  - b) 6 months
  - c) 12 months
  - d) 18-24 months
4. On what basis can a claimant choose which UPC division hears their infringement case?
- a) They cannot choose
  - b) It is primarily based on where the patent holder is located
  - c) It is primarily based on where the infringement occurred or where the defendant is located
  - d) It is primarily based on the language of the patent
5. Which country most recently ratified the UPC, becoming the 18<sup>th</sup> member state to do so?
- a) Romania
  - b) Czech Republic
  - c) Poland
  - d) Ireland
6. When must the defendant file a defense after being served with a statement of claim in a UPC infringement case?
- a) 14 days
  - b) 1 month
  - c) 3 months
  - d) 9 months

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7. How many local divisions are in Germany?

- a) 1
- b) 2
- c) 3
- d) 4

8. When did the Milan Central Division officially open?

- a) May 2024
- b) June 2024
- c) July 2024
- d) August 2024

9. Who is the current president of the UPC Court of Appeal?

- a) Rian Kalden
- b) Peter Blok
- c) Patricia Rombach
- d) Klaus Grabinski

10. In what timeframe must an appeal to the UPC Court of Appeal be filed after a first-instance merits decision?

- a) 30 days
- b) 2 months
- c) 1 year
- d) 3 months

11. In what month of 2024 did English become the predominant language of proceedings at the UPC?

- a) March
- b) April
- c) May
- d) June

12. What technology classification has the most infringement actions?

- a) Human necessities (IPC Class A)
- b) Electricity (IPC Class H)
- c) Mechanical Engineering (IPC Class F)
- d) Physics (IPC Class G)

13. In what central division would a revocation action against a patent relating to a pharmaceutical product need to be filed?

- a) Milan
- b) Munich
- c) Paris
- d) Other

14. If a party wishes to introduce new evidence during the appeal process, what should they primarily demonstrate?

- a) That it is more convincing than the evidence at first instance
- b) That the evidence was not deliberately withheld earlier
- c) That the evidence could not reasonably have been made during proceedings before the Court of First Instance
- d) That it is already part of parallel proceedings at the EPO

15. Which preliminary injunction was the first to be upheld by the UPC Court of Appeal?

- a) 10x Genomics v Nanostring
- b) Ortovox v Mammut
- c) myStromer v Revolt
- d) Dyson v SharkNinja

16. How long does a protective letter initially have effect for?

- a) 3 months
- b) 6 months
- c) One year
- d) Two years

17. What was the first decision at the UPC to consider infringement via the doctrine of equivalents?

- a) UEFA v Ballino
- b) SodaStream v Aarke
- c) Ortovox v Mammut
- d) Avago v Tesla

18. What is the ceiling for recoverable costs if the values of the proceedings is €1,000,000?

- a) €112,000
- b) €200,000
- c) €224,000
- d) €300,000

19. What constitutes an ‘undue delay’ by a patentee seeking a preliminary injunction?

- a) Two weeks
- b) One month
- c) Two months
- d) This has not yet been determined, and is a subject of conflicting case law from Local Divisions

20. Which of these cases was the first ever infringement action to be filed at the UPC?

- a) Franz Kaldewei v Bette
- b) DexCom v Abbot
- c) Sanofi v Amgen



- d) Philips v Belkin

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A graphic for a survey report. It features a dark background with a circular inset showing a gavel on a glowing digital circuit board. The text is white and blue. A blue button with a white arrow points to the download link. Logos for Wolters Kluwer, Future Ready, and LAWYER are present.

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