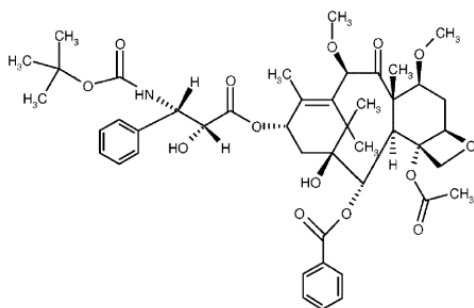


UPC CFI, Local Division Munich, 17 January 2025,
Sanofi v Accord

novel antitumoral use of cabazitaxel

Claims

1. Compound of formula



PATENT LAW – PROCEDURAL LAW

Sanofi Mature IP replaced by Sanofi SA in the present and all related proceedings (without objection) ([R. 305 RoP](#))

• [On 29 September 2024, the Sanofi group reorganized its group of companies, and Sanofi Mature IP has been dissolved without liquidation as all the shares of Sanofi Mature IP came to be held by its single shareholder, Sanofi SA. This resulted in the universal transfer of assets of Sanofi Mature IP to Sanofi SA, including the ownership of EP 466.](#)

Source: [Unified Patent Court](#)

UPC Court of First Instance,
Local Division Munich, 17 January 2025
(Zigann)

UPC_CFI_145/2024

UPC_CFI_146/2024

UPC_CFI_147/2024

UPC_CFI_148/2024

Procedural Order

of the Court of First Instance of the Unified Patent Court
Local Division Munich
issued on 17 January 2025

CLAIMANTS

- 1) Sanofi Mature IP
- 2) Sanofi Winthrop Industrie
- 3) Sanofi-Aventis France (not in UPC_CFI 145/2024)
- 4) Sanofi-Aventis GmbH
- 5) Sanofi Belgium
- 6) Sanofi-Aventis Deutschland GmbH
- 7) Sanofi S.r.l.
- 8) Sanofi B.V.
- 9) Sanofi - Produtos Farmaceuticos Lda
- 10) Sanofi AB
- 11) Sanofi A/S

represented by: Frédéric Chevallier (Herbert Smith Freehills).

DEFENDANTS – UPC_CFI_145/2024

- 1) Accord Healthcare S.L.U.

2) Accord Healthcare GmbH (AT)

3) Accord Healthcare BV

4) Accord Healthcare GmbH (DE)

5) Accord Healthcare Italia Srl

6) Accord Healthcare B.V.

7) Accord Healthcare, Unipessoal Lda.

8) Accord Healthcare AB

represented by: Jules Fabre, Arjan Reijns, Louise Millot (Pinsent Mason).

DEFENDANTS – UPC_CFI_146/2024

1) STADAPHARM GmbH

2) STADA Arzneimittel AG

3) STADA Nordic ApS

represented by: Daniel Hoppe (Bonabry).

DEFENDANTS – UPC_CFI_147/2024

1) Reddy Pharma SAS

2) betapharm Arzneimittel GmbH

3) Dr Reddy's Srl

represented by: Dr. Christian Meyer (Maiwald) Dr. Andreas Ledl (Maiwald).

DEFENDANTS – UPC_CFI_148/2024

1) Zentiva France

2) Zentiva Pharma GmbH

3) Zentiva, k.s.

represented by: Dr. Anja Lunze (Taylor Wessing) Dr. Elisabeth Greiner (df-mp).

PATENT AT ISSUE

European patent n° [2 493 466](#)

PANEL/DIVISION

Panel 1 of the Local Division Munich

DECIDING JUDGE/S

This order has been issued by the Presiding Judge Dr. Matthias Zigann acting as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS

English

SUBJECT-MATTER OF THE PROCEEDINGS

Patent infringement – [R 305 RoP](#) regarding Sanofi Mature IP in UPC_CFI_145/2024, UPC_CFI_146/2024, UPC_CFI_147/2024 and UPC_CFI_148/2024

REQUESTS BY THE PARTIES

Sanofi requests in [APP 907/2025](#), [1181/2025](#), [1192/2025](#), [1193/2025](#), [1194/2025](#), [1195/2025](#), [1197/2025](#) and [1199/2025](#) regarding the four infringement actions and the four counterclaims:

- Order that Sanofi SA be added as a party in the present action and all related proceedings;
- Sanofi Mature IP be substituted by Sanofi SA in the present action and all related proceedings;
- Order that Sanofi SA takes over the proceedings as the new proprietor of the patent EP 466 in suit; and
- Order that this substitution of parties has no consequence on the proceedings within the meaning of [Rules 306](#) and [310 RoP](#), as Sanofi SA resumes all rights and obligations of Sanofi Mature IP which has ceased to exist.

LEGAL ISSUES

Sanofi argues:

Sanofi Mature IP was the patent holder of EP 466 when it initiated the infringement actions, and Sanofi Mature IP was the named defendant in the related revocation counterclaims. [On 29 September 2024, the Sanofi group](#)

reorganized its group of companies, and Sanofi Mature IP has been dissolved without liquidation as all the shares of Sanofi Mature IP came to be held by its single shareholder, Sanofi SA. This resulted in the universal transfer of assets of Sanofi Mature IP to Sanofi SA, including the ownership of EP 466.

As a consequence, on the basis of [Rules 305\(1\), 312\(1\) and \(2\) RoP](#), the Claimants request from the Court that (i) Sanofi SA be added as a party, (ii) Sanofi Mature IP be substituted by Sanofi SA in the present action and all related proceedings, (iii) it authorizes Sanofi SA, as the new proprietor, to be added as a party and substituted to Sanofi Mature IP as the patent and the claims have been assigned to Sanofi SA, and (iv) it authorises Sanofi SA as "the new proprietor tak[ing] over the proceedings" such that "no new court fee shall be payable". For the sake of clarity, the new proprietor, Sanofi SA, is represented by the same representative as Sanofi Mature IP (and all other Claimants for that matter). This substitution of parties has no consequence on the proceedings within the meaning of [Rules 306](#) and [310 RoP](#), as Sanofi SA resumes all rights and obligations of Sanofi Mature IP which has ceased to exist as a consequence of its dissolution without liquidation.

GROUND

The defendants were heard at the oral argument hearing ("preliminary interim conference") on 15 January 2025. They raised no objections. The Court also has no objections. Sanofi Mature IP will therefore be replaced by Sanofi SA in the present and all related proceedings.

ORDER

1. Sanofi Mature IP is to be substituted by Sanofi SA in the present action and all related proceedings.
2. Claimant No. 1 shall be designated "Sanofi SA as successor of Sanofi Mature IP".
3. This replacement of parties has no consequence on the proceedings within the meaning of [Rules 306](#) and [310 RoP](#). Sanofi SA as successor of Sanofi Mature IP is bound by the proceedings as now constituted.

INFORMATION ABOUT REVIEW BY PANEL

Any party may request that this Order be referred to the panel for a review pursuant to [R. 333 RoP](#). Pending review, the Order shall be effective ([R. 102.2 RoP](#)).

Instructions to the Parties and the Registry

1. Claimant No. 1 shall be designated "Sanofi SA as successor of Sanofi Mature IP".
2. It may be impossible to implement this change in the old CMS. However, this order takes precedence.

DETAILS OF THE ORDER

Order no. ORD_2029/2025 in ACTION NUMBER: ACT_16112/2024
 UPC number: UPC_CFI_145/2024
 Action type: Infringement Action
 Related proceeding no. Application No.: 907/2025
 Application Type: Application for a change in parties
 Order no. ORD_2032/2025 in ACTION NUMBER: ACT_16112/2024
 UPC number: UPC_CFI_463/2024
 Action type: Infringement Action
 Related proceeding no. Application No.: 1199/2025
 Application Type: Application for a change in parties

Order no. ORD_2034/2025 in ACTION NUMBER: ACT_16116/2024
 UPC number: UPC_CFI_146/2024
 Action type: Infringement Action
 Related proceeding no. Application No.: 1181/2025
 Application Type: Application for a change in parties
 Order no. ORD_2036/2025 in ACTION NUMBER: ACT_16116/2024
 UPC number: UPC_CFI_496/2024
 Action type: Infringement Action
 Related proceeding no. Application No.: 1194/2025
 Application Type: Application for a change in parties
 Order no. ORD_2037/2025 in ACTION NUMBER: ACT_16119/2024
 UPC number: UPC_CFI_147/2024
 Action type: Infringement Action
 Related proceeding no. Application No.: 1192/2025
 Application Type: Application for a change in parties
 Order no. ORD_2038/2025 in ACTION NUMBER: ACT_16119/2024
 UPC number: UPC_CFI_374/2024
 Action type: Infringement Action
 Related proceeding no. Application No.: 1195/2025
 Application Type: Application for a change in parties
 Order no. ORD_2039/2025 in ACTION NUMBER: ACT_16120/2024
 UPC number: UPC_CFI_148/2024
 Action type: Infringement Action
 Related proceeding no. Application No.: 1193/2025
 Application Type: Application for a change in parties
 Order no. ORD_2040/2025 in ACTION NUMBER: ACT_16120/2024
 UPC number: UPC_CFI_503/2024
 Action type: Infringement Action
 Related proceeding no. Application No.: 1197/2025
 Application Type: Application for a change in parties
 Dr. Zigann
 Presiding Judge
