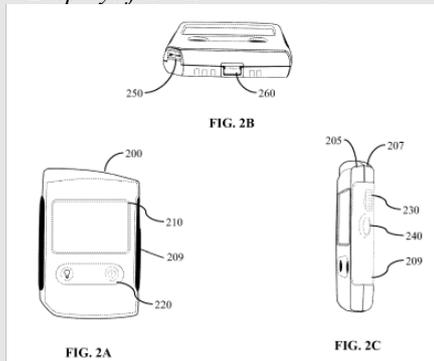


**UPC CFI, Local Division The Hague, 29 January 2025, Abbott v Dexcom**

*Displays for a medical device*



**PATENT LAW – PROCEDURAL LAW**

**Withdrawal of the action by agreement; no need for a cost decision, 20% of court fees reimbursed (R. 265 RoP, R. 370 RoP)**

Source: [Unified Patent Court](#)

**UPC Court of First Instance,  
Local Division The Hague, 29 January 2025**

(Brinkman, Kokke, Perrotti, Dumont)

UPC\_CFI\_424/2023

ACT\_586899/2023

CC\_13509/2024 and

CC\_13898/2024

**Order**

of the Court of First Instance of the Unified Patent Court  
Local Division The Hague

Issued on 29 January 2025

**Dexcom Inc.** (Defendant) - 6340 Sequence Drive - CA  
92121-4356 - San Diego - US

Statement of claim served on 30/11/2023

**Dexcom International Limited** (Defendant) - 1

Lampousas Street - 1095 - Nicosia - CY

Statement of claim served on 20/12/2023

REFERENCE CODE ECLI: Not provided

**CLAIMANT/S**

**1) Abbott Diabetes Care Inc.** (Defendant) - 1360 South  
Loop Road - CA 94502 - Alameda - US

Represented by Eelco Bergsma

**DEFENDANT/S**

**1) Dexcom International Limited** (Claimant) - 1

Lampousas Street - 1095 - Nicosia - CY

Represented by Tjibbe Douma

**DEFENDANT/S**

**2) Abbott Diabetes Care Inc. (Defendant)** - 1360

South Loop Road - 94502 California - Alameda - US

Represented by Eelco Bergsma

**PATENT AT ISSUE**

Patent no. Proprietor/s

[EP4070727](#) Abbott Diabetes Care Inc

**DECIDING JUDGES**

**FULL PANEL**

Presiding judge Edger Brinkman

Judge-rapporteur Edger Brinkman

Legally qualified judge Margot Kokke

Legally qualified judge Pierluigi Perrotti \

Technically qualified judge Alain Dumont

**LANGUAGE OF PROCEEDINGS:** English

**SUBJECT-MATTER OF THE PROCEEDINGS**

Infringement proceedings and counter claims for  
revocation

**GROUND S**

All parties to the proceedings requested withdrawal of their respective claims (above-mentioned infringement claim and counter claims for revocation). They requested the court render a decision declaring the proceedings closed. They indicated all parties consented to the withdrawal of the same and that a cost decision is not requested.

The application is admissible since there is no final decision in the actions in view of the pending appeal. In view of their consent, no party can be considered to have a legitimate interest in the actions being decided by the Court. The applications can thus be allowed.

Claimant's request for reimbursement of 20% of the court fees can be allowed as well (R. 370.9). In as far as necessary, the value of the actions is set at 4 million euro.

**ORDER**

The court:

- allows the withdrawal of the action  
(UPC\_CFI\_424/2023; ACT\_586899/2023,  
CC\_13509/2024 and CC\_13898/2024)

- declares the proceedings closed;

- orders that this decision shall be entered on the register;

- declares that there is no need for a cost decision;

- orders the claimant to be reimbursed 20% of the court fees paid, and thus an amount of EUR 7.400 - sets the value of the cases at EUR 4.000.000.

**ORDER DETAILS**

Order no. ORD\_68588/2024 in ACTION NUMBER:  
ACT\_586899/2023, CC\_13509/2024 and  
CC\_13898/2024

UPC number: UPC\_CFI\_424/2023

Action type: Infringement Action and Counter Claims  
for revocation

Related proceeding no. App\_68465/2024,  
App\_68468/2024, App\_68372/2024 and  
App\_68373/2024

Brinkman (Presiding judge)

Kokke (legally qualified judge)

Perrotti (legally qualified judge)

Dumont (technically qualified judge)