

You are here: [Home](#) > [Q&A's](#) > [Procedure before the UPC \(1\): Start of proceedings \(written procedure\)](#)

## What needs to be included in the initial pleading submitted to the UPC?

≡ Parent Category: [About the UPC](#)



≡ Category: [Procedure before the UPC \(1\): Start of proceedings \(written procedure\)](#)

Depending on the type of action to be started, the draft Rules of Procedure of the UPC lays down what the corresponding Statement or Application shall contain:

- a Statement of claim shall contain the items listed in Rule 13;
- a Statement for revocation shall contain the items listed in Rule 45;
- a Statement for a declaration of non-infringement shall contain the items listed in Rule 60;
- an Application for appropriate compensation under Article 8.1 of Regulation 1257/2012 shall contain the items listed in Rule 80;
- an Application to annul or alter a decision of the European Patent Office shall contain the items listed in Rule 88;
- an Application for obtaining provisional and protective measures and injunctions shall contain the items listed in Rules 192 and 206.

## How are proceedings started before the UPC?

≡ Parent Category: [About the UPC](#)



≡ Category: [Procedure before the UPC \(1\): Start of proceedings \(written procedure\)](#)

Depending of the type of action which is to be started, the plaintiff shall lodge either

- a Statement of claim (infringement action) or
- a Statement for revocation (revocation action) or
- a Statement for a declaration of non-infringement or
- an Application for appropriate compensation under Article 8.1 of Regulation 1257/2012 or
- an Application to annul or alter a decision of the European Patent Office.

Similarly, an action for obtaining provisional and protective measures and injunctions will start when a plaintiff lodges an Application under Rules 192 and 206 of the draft Rules of Procedure of the UPC.

## Where must the plaintiff start proceedings?

≡ Parent Category: [About the UPC](#)



≡ Category: [Procedure before the UPC \(1\): Start of proceedings \(written procedure\)](#)

A plaintiff shall [lodge the Statement or Application](#) at a sub-registry of the UPC's Registry. A sub-registry will be set up at all local or regional divisions as well as at the central division's seat and sections (Article 10.3 of the UPC Agreement). The plaintiff may in many instances choose between several divisions, in accordance with the [competence of the divisions](#) under Article 33 of the UPC Agreement (see for example Rule 13.1 of the draft Rules of Procedure of the UPC).

It is currently planned that an electronic filing system will be set up so that a plaintiff will be able to [lodge the Statement or Application](#) electronically at the UPC's Registry (Rule 4 of the draft Rules of Procedure of the UPC).

A Statement of appeal against a decision of the UPC's Court of First Instance - or an Application for leave to appeal against an order of the Court of First Instance - shall be lodged at the UPC's Registry (located in Luxembourg). Electronic filing procedures are also planned for the appeal stage.