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## How will the UPC decide what steps to take after the end of the written procedure?

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The aim of the interim procedure is to make all necessary preparations for the oral hearing (Rule 101 of the draft Rules of Procedure of the UPC). The judge-rapporteur shall be responsible for the interim procedure and may in particular - where necessary, and subject to the mandate of the panel - hold one or more interim conferences with the parties. In addition, the judge-rapporteur shall explore with the parties the possibility for a settlement, including through mediation, and/or arbitration, by using the facilities of the Patent mediation and arbitration centre (Article 52.2 of the UPC Agreement).

Further provisions in the draft Rules of Procedure of the UPC lay down that the judge-rapporteur may order parties to provide further clarification on specific points, answer specific questions, produce evidence or lodge specific documents including each party's summary of the orders sought at the interim conference (Rule 103 of the draft Rules of Procedure of the UPC).

## Will there be cross examination of witnesses during the interim procedure?

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No, only preparatory discussions with witnesses and experts may take place during the interim procedure, where an interim hearing is held (Rule 104(f) of the draft Rules of Procedure of the UPC). These preparatory discussions shall take place in the presence of the parties with a view to properly preparing for the oral hearing.

## Will the UPC have procedures to compel other parties to provide additional information about their case?

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Yes, the UPC has a general power to impose a penalty on a party which does not comply with an order of the UPC (Article 82.4 UPC Agreement; Rule 354.5 of the draft Rules of Procedure of the UPC). The penalty shall be proportionate to the importance of the order to be enforced.

In the interim procedure, the judge-rapporteur may order the parties to provide additional information (Rule 103 of the draft Rules of Procedure of the UPC). During an interim hearing, the judge-rapporteur may issue orders regarding the production of further pleadings and documents, experts, experiments, inspections or further written evidence (Rule 105(e) of the draft Rules of Procedure of the UPC).