

The value of the matter under dispute was discussed with the parties. The parties agreed that the value was EUR 1,000,000 and applied to fix the value accordingly.

decided and pronounced

D e c i s i o n

The value of the matter under dispute for the proceedings before the German Federal Patent Court is fixed at EUR 1,000,000.

The possibility of an amicable settlement of the legal dispute was discussed with the parties. A settlement could not be reached.

The President presented the main content of the files.

The parties were invited to make submissions and to give their grounds.

The plaintiff submitted the request from the complaint dated 07/21/2005 (p. 7 of the encl.).

The defendant submitted the request from the document dated 11/18/2005 (p. 59 of the encl.).

The facts and the legal situation were discussed with the parties.

The President closed the hearing.

After deliberation of the Court, the President announced the following

J u d g m e n t :

1. The European Patent No. 0 565 541 is declared null and void with legal effect within the territory of the Federal Republic of Germany.
2. The defendant shall bear the costs of the lawsuit.
3. The judgment is provisionally enforceable with respect to the costs against provision of a security in the amount of 120% of the amount to be enforced.

Schoner

Heinrich