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Nichia wins German enforcement proceeding against Everlight

Munich (ots) -

On November 8, 2022, the Düsseldorf District Court rendered its decision in favor of Nichia Corporation ("Nichia") in the enforcement proceeding (docket number 4a O 56/12 ZV II) which Nichia initiated against Taiwanese LED manufacturer Everlight Electronics Co., Ltd. and its German subsidiary Everlight Electronics Europe GmbH (both "Everlight") based on a final judgment of the Düsseldorf District Court finding for infringement of Nichia's YAG patent EP 936 682 (DE 697 02 929). The Court fully confirmed Nichia's enforcement claim and imposed a penalty in the amount of EUR 15,000 on each of both Everlight companies for non-compliance with the judgment.

The enforcement proceeding relates to Everlight's obligation to render account information of products infringing Nichia's YAG patent as basis for calculating the damages which Nichia can seek from Everlight. Nichia is of the opinion that Everlight has to render account information not only for the products explicitly cited in the aforementioned judgment, but rather for all products which are essentially similar to those products. Everlight, to the contrary, argued that the scope of its obligation should be limited to the explicitly cited products only and denied to render account information on the additional products. Therefore, Nichia started the enforcement proceeding claiming that Everlight's refusal would constitute a breach of its obligation determined in the judgment.

In its decision, the Court confirmed Nichia's legal view and imposed the penalty of EUR 15,000 on each of both Everlight companies. The decision is not final and has been appealed by Everlight. Nichia, however, strongly believes that the decision will be maintained in the appeal.

Nichia seeks to protect its patents and other intellectual property rights and takes actions against alleged infringers in any country where appropriate and necessary.

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