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Nichia starts enforcement proceedings in Germany against Everlight's subsidiary WOFI as preparatory step for damage award

Munich (ots) -

After the final judgment of the Düsseldorf District Court (docket number 4b O 132/16) finding for infringement of YAG patent EP 936 682 (DE 697 02 929) of Nichia Corporation ("Nichia") by WOFI Leuchten Wortmann & Filz GmbH ("WOFI"), Nichia recently requested WOFI to complete its rendering account information given in September 2017 upon preliminary enforcement of the now final judgment of the District Court. WOFI is a manufacturer of residential lighting products and a German subsidiary of Taiwanese LED manufacturer Everlight Electronics Co., Ltd.. The obligation of WOFI to render accounts is part of the judgment of the District Court. The rendering account information shall serve as basis for the calculation of the damage payments which WOFI has to make in favour of Nichia due to the infringement of the YAG patent.

Nichia is of the opinion that this rendering account information should not only cover the 12 white LED products of WOFI explicitly cited in the final judgment of the Düsseldorf District Court. Rather, further 18 white LED products of WOFI referred to by Nichia during the appeal instance should be included as well as WOFI LED products belonging to the same series of the aforementioned white LED products. Since WOFI rejected Nichia's request for completion of the rendering account information, Nichia now started with the enforcement of the final judgment by initiating penalty proceedings at the Düsseldorf District Court against WOFI for disregard of WOFI's rendering account obligation determined in the judgment.

The 12 white LED products cited in the judgment of the Düsseldorf District Court are:

Orbit / Serie 946 - Art. No. 4946.04.01.0000, Mercur / Serie 313 - Art. No. 4313.01.01.0000, Laurids / Serie 889 - Art. No. 4889.01.64.0000, Avignon / Serie 275 - Art. No. 4275.01.64.0000, Vannes / Serie 625 - Art. No. 8625.01.01.0000, Reims / Serie 272 - Art. No. 9272.09.01.0000, Luz / Serie 682 - Art. No. 8682.01.01.0000, Louvre / Serie 825 - Art. No. 8825.01.54.0000, Style / Serie 922 - Art. No. 6922.03.01.0000, Antibes / Serie 792 - Art. No. 7792.06.01.0000, Benett / Serie 557 - Art. No. 9557.08.01.0000 and Napa / Serie 666 - Art. No. 9666.04.64.0000.

The 18 additional white LED products claimed for rendering of accounts by Nichia are:

Soul / Serie 117 - Art. No. 9117.01.54.0000, Roma / Serie 120 - Art. No. 6120.01.54.0000, Jet / Serie 028 - Art. No. 8028.01.64.0000, Space / Serie 216 - Art. No. 7216.02.01.0000, Vela / Serie 543 - Art. No. 9543.01.01.0000, Comte / Serie 888 - Art. No. 7888.01.64.0000, Halden / Serie Action - Art. No. 967201630300, Horton / Serie 786 - Art. No. 8786.01.54.0000, Galax / Serie 587 - Art. No. 8587.01.01.0000, Estera / Serie 093 - Art. No. 7093.02.01.0000, Orland / Serie 510 - Art. No. 8510.01.01.0000, Clay / Serie 163 - Art. No. 9163.02.01.0000, Mika / Serie Action - Art. No. 816801100000, Veneta / Serie Action - Art. No. 987104640000, Hampton / Serie 326 - Art. No. 4326.01.01.5000, LED-Kerze E14 / Serie Action - Art. No. 9715, Seattle / Serie 705 - Art. No. 8705.03.01.0000 and Freya / Serie 145 - Art. No. 7145.01.01.0000.

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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