

**RESULTS REPORT  
INTELLECTUAL PROPERTY FAST ACTION PROTOCOL  
MOBILE WORLD CONGRESS 2023**

**COMMERCIAL COURT OF BARCELONA  
EUROPEAN UNION TRADEMARK COURT OF ALICANTE**

1.- The panel of Judges of the Commercial Court of Barcelona and the panel of Judges of the European Union TradeMark Court of Alicante, at its joint meeting on 1st December 2022, agreed to adopt effective measures to protect and preserve intellectual and industrial property rights of participants and exhibitors at *Mobile World Congress* held in Barcelona on 27th February to the 2nd March 2023.

2.- These measures included:

a) Priority and preferential processing of emergency preliminary injunctions (either *ex parte* or not) in relation to technological patents and industrial designs relating to products which are to be exhibited at this event, as well as acts of infringement of trademarks and copyrights, and unfair competition and unlawful advertising acts in relation to products and materials which are on display at the MWC.

b) Resolve and issue any *ex parte* preliminary injunction within 48 hours, once the complaint has been received by the court; and the case of a hearing of an interim injunction is resolved within a 10-day period, as long as a protective letter has been filed.

c) Within the framework of a possible conflict in issues of industrial or intellectual property with another company and in light of the reasonable fear of being subject to an application for an *ex parte* preliminary injunction, to resolve the admission of the requests for protective letters within 24 hours of their filing. The admission and immediate resolution of the protective letters is done in order to avoid, to the extent possible, the adoption of the *ex parte* preliminary injunctions, which will allow, firstly, the defendant to put forward their arguments and, secondly, their willingness to appear at the Court immediately to rule on any request for *ex parte* preliminary injunctions.

d) To Adopt and extend the immediate enforcement of the preliminary injunctions and/or urgent measures filed, when they comprise acts of presentation, exhibition, promotion, offer or sale, carried out or that are going to be carried out by the exhibitors and participants on the occasion of this congress, in the metaverse or any other type of environments and virtual worlds or online platforms.

e) The Commercial Court of Barcelona will carry out the immediate enforcement of the preliminary injunctions and/or urgent measures that, within the scope of its specific competence, will issue the European Union Trademark Court of Alicante in matters of trademarks of the Union European and Community designs.

3.- Finished the *Mobile World Congress* this year, the results of the application of these measures have been the following:

i) Commercial Court of Barcelona: **19 protective letters** have been filed, all in patent matters. All of them were processed and resolved on time before the start of the Congress.

ii) No protective letters were filed in the European Union Trademark Courts in Alicante.

iii) There were not preliminary injunction petitions.

iv) A total of **19 cases** were admitted and resolved within the framework of the Protocol.

4.- Valuations of the result of the application of the commitments in relation to the measures adopted and executed and the companies affected: the resolution commitment within a period of 24 hours has been respected of the protective letters filed.

5.- This year 2023 is the ninth year of application of the Protocol, having produced **an increase of + 137.5% of the cases filed** in relation to those entered in the year 2022.

6.- Final valuation: although this year no preliminary injunctions and/or urgent measures have been enforced as in other years, **the overall data on cases filed under the 2023 Protocol has been the best in the last 4 years** . This shows a clear positive trend in the recovery of the level and number of cases registered compared to the years prior to the covid-19 pandemic.

7.- Our forecast is that in the next year 2024 the number of cases filed will recover, especially the *protective letters*; as well as verification of facts procedures and preliminary injunctions both *ex parte* and hearing.

8.- We want to highlight this year's close and coordinated collaboration with the heads of the GSMA and FIRA and the Police forces.

In Barcelona and Alicante, on March 3rd, 2023

Commercial Court of Barcelona.  
European Union Trademark Court of Alicante.