



Order
of the Court of First Instance of the Unified Patent Court
issued on 9 May 2025
concerning EP 4 050 804
concerning App_22059/2025
concerning App_22060/2025
(harmonization of time periods)

CLAIMANT:

Samsung Electronics Co., Ltd

- 129 Samsung-Ro, Yeongtong-Gu - 16677 - Suwon City,
Gyeonggi-

represented by Thomas Musmann

DEFENDANTS:

- 1) **ZTE Deutschland GmbH** represented by Thomas Lynker
- Fritz-Vomfelde-Straße 26-30 - 40547 -
Düsseldorf - DE
- 2) **ZTE France SASU** represented by Thomas Lynker
- 27-33 Quai Alphonse Le Gallo - 92100 -
Boulogne-Billancourt - FR
- 3) **ZTE Netherlands B.V.** represented by Thomas Lynker
- Maanplein 20, TP8 - 2516CK - Den Haag - NL

PATENT AT ISSUE:

European patent EP 4 050 804

PANEL/DIVISION:

Panel of the Local Division in Mannheim

DECIDING JUDGES:

This order was issued by the legally qualified judge Böttcher acting as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS: English

SUBJECT OF THE PROCEEDINGS: infringement action – harmonization of time periods

BRIEF SUMMARY OF THE FACTS AND THE REQUEST:

Claimant sues Defendants for patent infringement. All three Defendants are entities of the same group of companies. The Statement of claim was served on Defendant 1 on 19 March 2025, on Defendant 2 on 14 April 2025 and on Defendant 3 on 20 April 2025.

Referring to a corresponding agreement between the parties, Defendants request:

to adjust the time periods for the submission of the Statements of defence and Counterclaims for revocation as follows:

- The time periods for the Statements of defence and Counterclaims for revocation for Defendants 2) and 3) are shortened. The new time periods uniformly expire on 3 July 2025.
- The time period for the Statement of defence and Counterclaim for revocation for Defendants 1) is extended. The new time period expire on 3 July 2025.

Claimant, which has been heard, declared its consent.

REASONS FOR THE ORDER:

The order finds its basis in R. 9.3 (a), (b) RoP.

The extension of the time period for the Statement of defence for one part of the Defendants and the shortening of the time period for the other part is justified by the consent of all parties and the aim of establishing a uniform time period regime, given that the dates of service vary for the three Defendants, which belong to the same group of companies and are represented uniformly. Without a uniform time period regime, there would be different time periods in individual procedural relationships throughout the entire written procedure. This would make the conduct of the proceedings more difficult for all parties involved. In addition, the new time period will speed up the overall proceedings.

The new time period for the Statements of Defence also applies automatically to the filing of any counterclaim for revocation.

ORDER:

The time periods for the Statements of defence are set uniformly for all Defendants at **3 July 2025**.

ORDER DETAILS

Order no. ORD_22120/2025 in ACTION NUMBER: ACT_10257/2025

UPC number: UPC_CFI_189/2025

Action type: Infringement Action

Related proceeding no. Application No.: 22060/2025

Application Type: Generic procedural Application

Order no. ORD_22235/2025 in ACTION NUMBER: ACT_10257/2025

UPC number: UPC_CFI_189/2025

Action type: Infringement Action

Related proceeding no. Application No.: 22059/2025

Application Type: Generic procedural Application

Issued in Mannheim on 9 May 2025

NAME AND SIGNATURE

Böttcher
Judge-rapporteur