



UPC_CFI_452/2024
Decision
of the Court of First Instance of the Unified Patent Court
delivered on 25/04/2025

CLAIMANT

1) Viking Arm AS
Lommedalsveien 230 - 1353 - Bærums Verk - NO

Represented by Christopher Tehrani

DEFENDANTS

- 1) Stanley Black & Decker Sweden AB
Box 94 - 431 22 - Mölndal – SE
- 2) Stanley Black & Decker Inc.
1000 Stanley Drive - 06053 - New Britain, Connecticut – US
- 3) Stanley Black & Decker Deutschland GmbH
(Defendant) - Black-&-Decker-Straße 40 - 65510 - Idstein - DE

Represented by Conor Wilman

PATENT AT ISSUE

<i>Patent no.</i>	<i>Proprietor/s</i>
EP3953541	Viking Arm AS

COMPOSITION OF PANEL – FULL PANEL

Presiding judge	Stefan Johansson
Judge-rapporteur	Kai Härmand
Legally qualified judge	Petri Rinkinen
Technically qualified judge	Marc van der Burg

LANGUAGE OF PROCEEDINGS: English

SUBJECT-MATTER OF THE PROCEEDINGS

Infringement action and counterclaim for revocation

STATEMENT OF THE FORMS OF ORDER SOUGHT BY THE PARTIES

Pursuant to Rule 265 RoP, Viking Arm, the Claimant in the Infringement Action, requests withdrawal of the infringement action (ACT_19392/2024) and Stanley, the Claimants in the Counterclaim for Revocation Action, request withdrawal of their Counterclaim for Revocation (CC_44381/2024) in respect of EP 3953541. Viking Arm confirms that it agrees to Stanley's withdrawal and similarly Stanley confirm that they agree to Viking Arm's withdrawal. Since parties have agreed to withdraw their respective actions, neither party has a legitimate interest in the actions being decided by the Court. Regarding costs, parties agree that a costs decision is not required.

FOUNDATIONS FOR THE ORDER

According to Rule 265 of the Rules of Procedure (RoP), a claimant may apply to withdraw its action as long as there is no final decision. The Court shall decide on such an application to withdraw the action after hearing the other party. The application to withdraw shall not be permitted if the other party has a legitimate interest in the action being decided by the Court.

The Court declares the proceedings closed. The Claimant has withdrawn the infringement action, and the Defendants of the infringement action have withdrawn their counterclaim for revocation. The parties have filed a joint request to the Court and hence they have been heard. The parties have requested that the Court should not issue a decision regarding their costs in these proceedings, hence the Court will refrain from issuing such decision.

DECISION

The Court declares these proceedings closed.

The decision on the closure of the proceedings shall be entered on the register.

INFORMATION ABOUT APPEAL

This decision may be the subject of an appeal within two months of service of the Court's decision.

Decision issued on 25 April 2025

Signatures

Stefan Johansson Presiding Judge Legally Qualified Judge	
Kai Härmand Judge-Rapporteur Legally Qualified Judge	

Petri Rinkinen Legally Qualified Judge	
Marc van der Burg Technically Qualified Judge	
Johanna Mikkola Jäghammar Clerk/For Deputy-registrar	

ORDER DETAILS

Order no. ORD_18928/2025 in ACTION NUMBER: ACT_19392/2024 and CC_44381/2024

UPC number: UPC_CFI_452/2024

Action type: Infringement Action and Counterclaim for Revocation

Related proceeding no. Application No.: 18430/2025

Application Type: Application for leave to withdraw an action (RoP265)