



Local division Munich
UPC_CFI_322/2024
UPC_CFI_588/2024

Procedural order
of the Court of First Instance of the Unified Patent Court
local division Munich
issued on 19 February 2025

PLAINTIFF

Dyson Technology Limited

represented by: Constanze Krenz, Dr Joshua Fiedler (DLA Piper)

DEFENDANT

1) SharkNinja Europe Limited
2) SharkNinja Germany GmbH

represented by: Wolrad Prince of Waldeck and Pyrmont, Kilian Seidel (Freshfields)

PATENT IN SUIT

European Patent No. 2 043 492

PANEL/CHAMBER

Panel 1 of the Munich local division

PARTICIPATING JUDGES

This Order was issued by presiding judge Dr Matthias Zigann as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS

German

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UPC_CFI_588/2024

OBJECT

Withdrawal of the action for infringement and the action for annulment

FACTS OF THE CASE AND APPLICATIONS OF THE PARTIES

Dyson filed an application on 31 January 2025:

App_5119/2025 UPC_CFI_322/2024
to allow the withdrawal of the action for infringement and to decide that the plaintiff be reimbursed 60% of the court costs.

App_5498/2025 UPC_CFI_322/2024
accordingly to include this waiver of claims in the Order terminating the proceedings.

SharkNinja requested on 3 February 2025:

App_5727/2025 UPC_CFI_588/2024
to allow the withdrawal of the counterclaim for a declaration of invalidity (CC_54802/2024 UPC_CFI_588/2024), waiving the claims asserted, and decide that the counterclaimants be reimbursed 60% of the court costs.

Both parties agree that the parties to the underlying legal dispute have reached an out-of-court settlement and are in agreement with the withdrawal of the respective claims. Furthermore, all parties declare that they waive the claims asserted in the lawsuits. The parties will not file any applications for costs.

REASONS

The written procedure would have ended on 28 April 2025. The hearing date was scheduled for 3 June 2025 was determined. Consequently, the withdrawals to be admitted were made in accordance with Rule 370.9.b.i RoP. There is no need for a decision on costs.

ORDER

1. The proceedings relating to the action and the counterclaim are declared terminated.
2. This decision must be entered in the register.
3. It is established that the plaintiff has waived the claims asserted in the action.
4. It is established that the defendants have waived the claims asserted in the counterclaim.
5. The plaintiff is reimbursed 60 per cent of the court fees for the infringement action.
6. The defendants will be reimbursed 60 per cent of the court fees for the action for annulment.

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INFORMATION ON THE REVIEW BY THE PANEL

Either party may request a review of this Order by the adjudicating body in accordance with R. 333 PANEL. The Order remains effective until it has been reviewed (R. 102.2 RoP).

INSTRUCTIONS TO THE LAW FIRM

The plaintiff is reimbursed 60 per cent of the court fees for the infringement action.

The defendants will be reimbursed 60 per cent of the court fees for the action for annulment.

ORDER DETAILS

Order no. ORD_8527/2025 in ACTION NUMBER: ACT_35930/2024

UPC number: UPC_CFI_588/2024

Action type: Infringement Action

Related proceeding no. Application no.: 5727/2025

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

Order No. ORD_8528/2025 in PROCEDURE NUMBER: ACT_35930/2024

UPC number: UPC_CFI_322/2024

Nature of the action: Action for infringement

No. of the related procedure Application no.: 5498/2025

Type of application: Submission for procedural request

Order no. ORD_8529/2025 in ACTION NUMBER: ACT_35930/2024

UPC number: UPC_CFI_322/2024

Action type: Infringement Action

Related proceeding no. Application no.: 5119/2025

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

**Matthias
ZIGANN**

Digitally signed by
Matthias ZIGANN Date:
2025.02.19
17:10:52 +01'00'

Dr Zigann
Presiding judge