



Local Division Munich
UPC_CFI_319/2025
ACT_16389/2025

Procedural Order

of the Court of First Instance of the Unified Patent Court
issued on 19 August 2025

Claimant:

Solvay Specialty Polymers Italy S.p.A., 20 Viale Lombardia, 20021 Bollate, Milano, Italy

represented by: Dr. Ulrich Worm, Mayer Brown LLP

Defendants:

1. **Zhejiang Fluorine Chemical New Material Co., Ltd.**, No. 5, Weiyi Road, Shangyu Hangzhou, Gulf Chemical Industry Zone, 312369 Shaoxing, Zhejiang Province, China
2. **Hubei Fluorine New Materials Co., Ltd.**, No. 8, Group 11, Qianjiang Economic Development Zone, 433100 Dongtan Village, Hubei Province, China

represented by: Dr. Matthias Meyer, Bird & Bird LLP

3. **Shenzhen Benia New Material Technology Co., Ltd.**, 503, Building C, Gaofu Center, No. 48 Gongle Industry Road, Xixiang Street, Bao'an District, Shenzhen, 518102, China
4. **Shanghai Youcheng International Trade Co., Ltd.**, No.2 Xingang Middle Road, Taicang City, Suzhou City, Jiangsu Province, China

Language of the proceedings:

English

Patents at issue:

EP 2 147 029

Panel:

Panel 1 of the Local Division Munich

Deciding Judge:

This order has been issued by the Judge-rapporteur Tobias Pichlmaier

Points at issue:

Separation of proceedings

Grounds

Pursuant to Rule 303.2 RoP, the court may order that proceedings initiated against different defendants be heard in separate proceedings.

Such a separation is reasonable and necessary in the present case. While service on defendants 1 and 2 was effected on 3 June 2025, service on defendants 3 and 4 has not yet been effected. For the defendants 1 and 2, the deadline for the SoD expires on 3 September 2025, while the deadline for defendants 3 and 4 has not even begun to run yet. It is unreasonable to expect the claimant to wait for service on defendants 3 and 4 while the proceedings against defendants 1 and 2 can continue.

In the opinion of the judge-rapporteur, the separation should be made before the statement of defence is filed, in order to facilitate the proceedings.

As it is the court's initiative to separate the proceedings, no further fees will be charged currently to start the separated proceedings.

Order

- I. The infringement action ACT_16389/2025 (UPC_CFI_319/2025) is separated. The action concerning Defendants 1) and 2) shall be heard in separate proceedings. Both proceedings remain before the same panel.
- II. For technical reasons, the following procedure is necessary to implement the separation of the further proceedings in the CMS:
 1. Claimant is ordered to submit the original statement of claim with all exhibits in a new main proceedings workflow as soon as possible. At the same time, this order and a cover letter must be submitted with the statement of claim, clarifying that this is not a new action, but merely the technical implementation of the separation decision and that the new proceedings are only directed against defendants 1) and 2).
 2. Defendants 1) and 2) will then receive the access code applicable to the new workflow. The representatives of Defendants are ordered to register immediately

as representatives of the defendants for the further proceedings. The time limits for filing pleadings shall apply as set out in the original proceedings.

- III. The separated proceedings shall be deemed to be pending before the court from the date of receipt of the statement of claim in the original proceedings.
- IV. The statement of claim shall be deemed to have been served in the separated proceedings on the date on which the statement of claim was served in the original proceedings.

Pichlmaier

Judge rapporteur