



Local Division Munich
UPC_CFI_559/2025

Procedural Order
of the Court of First Instance of the Unified Patent Court
issued on 26 August 2025

CLAIMANT

Shangrao Xinyuan Yuedong Technology Development Co., Ltd, No. 3 Yingbin Avenue,
Shangrao Economic and Technological Development Zone, 334100 Jiangxi Province, CN,

represented by: Marco Scheffler, Gulde & Partner Patent und Rechtsanwaltskanzlei mbB,
Berliner Freiheit 2, 10785 Berlin, DE.

DEFENDANTS

1. **LONGi Solar Technologie GmbH**, Bockenheimer Landstr. 51-53, 60325 Frankfurt am Main, DE,
2. **LONGi Green Energy Technology Co. Ltd**, No.388 Hangtian Middle Road, Chang'an District, Shaanxi Province 710100, Xi'an City, CN,
3. **Longi (Netherlands) Trading B. V.**, Boompjes Xb, 3011 40 Rotterdam, NL,
4. **Energy3000 solar GmbH**, Industriestraße V/1, 7052 Müllendorf, AT,
5. **Thomas Seifert**, Tubag Allee 6, 56642 Kruft, DE.

Defendant 1-4 represented by: Dr. Benjamin Schröer, Hogan Lovells International LLP,
Karl-Scharnagl-Ring 5, 80539 Munich, DE.

PATENT AT ISSUE

European patent no° EP 3 297 043 B1

PANEL/DIVISION

Panel 2 of the Local Division Munich

DECIDING JUDGE

This Order has been issued by Presiding Judge Ulrike Voß acting as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS

English

SUBJECT-MATTER OF THE PROCEEDINGS

Rule 295 (d), (m) RoP – Stay of the proceedings

FACTS

- 1 The Claimant is suing the Defendants for infringing of the patent at issue.
- 2 In a letter dated 25 August 2025, the Claimant and Defendants 1) to 4) jointly requested that the proceedings be suspended due to settlement negotiations. They also requested that, should the proceedings resume, the full one-month deadline for a Preliminary objection pursuant Rule 19.1 RoP runs afresh and, by the way of extension of the deadline pursuant Rule 23 RoP, a full five-month deadline for the Statement of defence, therewith the Counterclaim for revocation, runs afresh.
- 3 In Claimants` view regarding the Defendant 5) the proper administration of justice requires the stay of the infringement procedure because it is not clear yet whether the customers of the Defendants 1) to 4) – including Defendant 5) – will be part of the settlement agreement.

REASONS

- 4 Due to the ongoing settlement negotiations and the joint application of the Claimant and Defendants 1) to 4), the proceedings are stayed under Rule 295(d) RoP.
- 5 The suspension of proceedings regarding Defendant 5) is based on Rule 295(m) RoP. Given the ongoing settlement negotiations between the other parties and the emails from Defendant 5) dated 16 July and 6 August 2025, it is also appropriate to suspend the proceedings in this respect. The Court assumes that an (out-of-court) settlement is also being sought with Defendant 5).
- 6 The effect of suspending the proceedings on time limits is set out in Rule 296.3 RoP. Accordingly, the time limits begin to run afresh for the purpose of procedural periods from the date on which the stay of proceedings comes to an end. This consequence therefore arises from the law. It is not necessary in principle to state these effects in the operative part of the Order.
- 7 Additionally, the time limit for submitting a Statement of defence (and a Counterclaim for revocation) pursuant to Rule 23 RoP is extended to full five months in accordance with the unanimous request of the parties, pursuant to Rule 9.3 (a) RoP. To ensure that the time limits run concurrently for all Defendants in the event of proceedings being resumed, the time limit under Rule 23 RoP is also extended to five months for Defendant 5).

ORDER

1. The proceedings (ACT_29445/2025 UPC_CFI_559/2025) are stayed.
2. The time limit for filing a Statement of defence (Rule 23 RoP), is set at a total of five months.
3. The parties are required to inform the Court as soon as possible if a settlement of the dispute has been reached.

DETAILS OF THE ORDER

Order no. ORD_35509/2025 in ACTION NUMBER: ACT_29445/2025

UPC number: UPC_CFI_559/2025

Action type: Infringement Action

Related proceeding no. Application No.: 35441/2025

Application Type: Generic procedural Application

26 August 2025