

Decision
of the Court of First Instance of the Unified Patent Court
issued on 26 September 2025
concerning EP 3 110 069 B1

CLAIMANT:

Headwater Research LLC, represented by the Member of the Managing Board, Mr. Dr. Gregory Raleigh, 110 North College Avenue, Suite 1116, Tyler, TX 75702, USA

represented by: Dr. Michael Schneider and Jochen Ehlers, EISENFÜHR SPEISER, Gollierstraße 4, 80339 Munich, Germany

electronic address for service: mschneider@eisenfuhr.com

DEFENDANTS:

1. **Samsung Electronics GmbH**, represented by its CEO Man Young Kim, Am Kronberger Hang 6, 65824 Schwalbach/Taunus, Germany
2. **Samsung Electronics France, S.A.S.**, represented by its CEO Menno Van Den Berg, 6 Rue Fructidor, CS 2003, 93400 Saint-Quen-Sur-Seine, France
3. **Samsung Electronics Benelux B.V.**, represented by its CEOs Choon Young Park, Ji Hoon Lee and Jeewook Kim, Evert van de Beekstraat 310, 1118 CX Schiphol, The Netherlands
4. **Samsung Electronics Co. Ltd.**, represented by its Chairman Mr. Lee Jae-yong, 129, Samseong-ro Yeongtong-gu Suwon-si, Gyeonggi-do 16677, Republic of Korea

all Defendants represented by: Dr. Martin Köhler, Hoyng ROKH Monegier, Steinstraße 20, 40212 Düsseldorf, Germany

electronic address for service: martin.koehler@hoyngrokh.com

PATENT AT ISSUE:

European patent n° 3 110 069 B1

PANEL/DIVISION:

Panel of the Local Division in Düsseldorf

DECIDING JUDGES:

This decision was issued by Presiding Judge Thomas, legally qualified Judge Dr Thom acting as judge-rapporteur, legally qualified Judge Agergaard and technical qualified Judge Augarde.

LANGUAGE OF THE PROCEEDINGS: English

SUBJECT OF THE PROCEEDINGS: R. 265 RoP

SUMMARY OF THE FACTS:

The parties initially brought an infringement action and a counterclaim for revocation to the Court.

By decision of 30 July 2025 the Court dismissed the infringement action and revoked the patent in suit to the extent of claim 1. Before the time period for appeal expired, the Claimant withdrew its infringement action by brief dated 18 September 2025 and requested that the parties bear their own costs. On 19 September 2025 the Defendants agreed to the withdrawal of the infringement action and to Claimant's requested cost decision.

GROUND FOR THE DECISION:

The decision follows the parties' jointly expressed will.

According to the Court of Appeal, an application to withdraw the infringement action are admissible in case there is no final decision in the action in view of a pending appeal (CoA_569/2014, Order of 24 February 2025, Dexom ./ Abbott). The same applies in cases where the time period for appealing the decision of the Court of First Instance has not yet expired. In view of the parties' consents, they cannot be considered to have a legitimate interest in the action being appealed, and the application to withdraw the action can thus be permitted. Following the Court of the Appeal, the Court also considers the decision of 30 July 2025 regarding the infringement action including the decision on costs to become ineffective with the closure of the proceedings.

Pursuant to R. 265.2(2) RoP, the parties bear their own costs with regard to the infringement action following the consented request of the Claimant.

DECISION AND ORDERS:

1. The withdrawal of the infringement action is allowed at the application of the Claimant and with the consent of the Defendants.
2. The proceedings referred to in point 1. are declared closed.
3. This decision shall be entered in the register.
4. Each party shall bear their own costs with regard to the infringement action.
5. The value in dispute for the infringement action is set at € 3,000,000,00.

Issued in Düsseldorf on 26 September 2025

NAMES AND SIGNATURES

Presiding Judge Thomas	
Legally Qualified Judge Dr Thom	
Legally Qualified Judge Agergaard	
Technically Qualified Judge Augarde	
for the Sub-Registrar	