

Decision
of the Court of First Instance of the Unified Patent Court
issued on 29 September 2025
concerning EP 3 110 072 B1

CLAIMANT:

der **Headwater Research LLC**, represented by the member of the Managing Board, Dr Gregory Raleigh, 110 North College Avenue, Suite 1116, Tyler, TX 75702, USA,

represented by: Attorney-at-law Philipp Rastemborski, EISENFÜHR SPEISER,
Gollierstraße 4, 80339 München

electronic address for service: prastemborski@eisenfuhr.com

DEFENDANTS:

- 1) **Samsung Electronics Co. Ltd.**, represented by its Chairman Herrn Lee Jae-yong, 129, Samseong-ro Yeongtong-gu Suwon-si, Gyeonggi-do 16677, Republic of Korea,
- 2) **Samsung Electronics GmbH**, represented by its CEO Man Young Kim, Frankfurter Straße 2, 65760 Eschborn, Germany,
- 3) **Samsung Electronics France, S.A.S.**, represented by its CEO Menno Van Den Berg, 6 Rue Fructidor, 93400 Saint-Quen-Sur-Seine, France,
- 4) **Samsung Electronics Benelux B.V.**, represented by its CEOs Choon Young Park, Ji Hoon Lee und Jeewook Kim, Evert van de Beekstraat 310, 1118 CX Schiphol, The Netherlands,
- 5) **Samsung Electronics Italia S.p.A.**, represented by its CEO Wonhee Kim, Via Mike Bongiorno 9, 20124 Milan, Italy

represented by: Attorney-at-law Dr Mirko Weinert, Attorney-at-law
Köhler, Hoyng ROKH Monegier, Steinstraße 20, 40212
Düsseldorf,

electronic address for service: mirko.weinert@hoyngrokh.com

PATENT AT ISSUE: European patent no._3 110 072

PANEL/DIVISION: Panel of the Local Division Düsseldorf

DECIDING JUDGES:

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

LANGUAGE OF THE PROCEEDINGS: English

SUBJECT OF THE PROCEEDINGS: R. 265.1 RoP – Application for leave to withdraw the action

SUMMARY OF THE FACTS:

On 6 June 2024, the Claimant filed a patent infringement action against the Defendants.

Prior to the closure of the written procedure, the Claimant withdrew its infringement action by brief dated 18 September 2025. The Claimant requested that the Court directs the Registrar to reimburse the Claimant 60% of the paid court fees as soon as practicable and further requests, to the extent necessary pursuant to R. 265.2(c) RoP, that the parties bear their own costs.

On 19 September 2025, the Defendants agreed to the withdrawal of the action and the requested cost decision.

GROUND FOR THE DECISION:

The decision follows the parties' jointly expressed will.

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

According to R. 370.9(b)(i) RoP, fixed and value-based fees may be reimbursed by 60 % if an action is withdrawn before the closure of the written procedure. R. 370.11 RoP states that the Court shall deal with applications for a reimbursement of Court fees without delay, provided it is satisfied that the reimbursement is appropriate.

ORDER:

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.
5. The value in dispute is set at € 2,000,000.

6. The Registrar is directed to reimburse the Defendants 60 % of the court fees paid as soon as possible, which amounts to € 7,800.

DETAILS OF THE ORDER :

UPC number: UPC_CFI_496/2025

Type of procedure: Patent infringement

Issued on 29 September 2025

NAMES AND SIGNATURES

Presiding Judge Thomas	
Legally Qualified Judge Dr Thom	
Legally Qualified Judge Mlakar	
For the Sub-Registrar	