



Düsseldorf Local Division
UPC_CFI_515/2025

Procedural Order
of the Court of First Instance of the Unified Patent Court
issued on 2 February 2026
concerning EP 3 835 965 B1

APPLICANT:

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DEFENDANTS:

[1. **Andreas Rentmeister e.K.**, Rufacherstr. 7, 79910 Freiburg, Germany]

Defendant 1. represented by: Attorney-at-law Jochen Bühling, Krieger Mes Rechtsanwälte
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2. **Shenzhen Moan Technology Co., Ltd.**, Room 4F67, Building 2 and 3, M-10, Maqueling Industrial Zone Maling Community, Yuehai Street, Nanshan District, 518057 Shenzhen City, Guangdong, China

EUROPEAN PATENTS No. EP 3 835 965 B1

PANEL/DIVISION:

Panel of the Local Division in Düsseldorf

DECIDING JUDGES:

This order was issued by Presiding Judge Thomas acting as judge-rapporteur, the legally qualified

judge Dr Schumacher and the legally qualified judge Lopes.

LANGUAGE OF THE PROCEEDINGS: English

SUBJECT: R. 275.2 RoP – Order of good service

SUMMARY OF THE FACTS:

1. By way of an application for provisional measures, the Applicant seeks a preliminary injunction and further provisional measures against the Defendants in respect of an alleged infringement of EP 3 835 965 B1 (hereinafter: patent in suit).
2. The application for provisional measures was filed on 13 June 2025.
3. Service to the Defendant 2., who is based in China, was initiated via the official online portal of the Central Authority of China on 18 June 2025. According to the available online processing history, the documents to be delivered were forwarded within the Chinese authorities to the Supreme People's Court for further processing, where they arrived on 19 June 2025. No further processing by the Chinese authorities could then be detected on the online portal. Therefore, the Applicant asked Defendant 2. to voluntarily accept service of the application for provisional measures. The Applicant set a deadline of 15 September 2025. This request was unsuccessful. Against this background, on 10 October 2025, the Applicant requested the Düsseldorf Local Division to make an inquiry to the Central Authority of China regarding the status of service of the application for provisional measures. The Court complied with this request by submitting corresponding inquiries in Chinese via the online portal on 20 October 2025 and on 4 November 2025. However, both inquiries remained unanswered prior to the issuance of this order.
4. Following an Applicant's request, the Düsseldorf Local Division ordered on 11 November 2025 that the steps already taken to bring the application for provisional measures in the proceedings UPC_CFI_515/2025 to the attention of Defendant 2. constitute good service pursuant to R. 275.2 RoP. Furthermore, the Court ordered that service is deemed to be effective as of the date of this order. The order was published on UPC's website.
5. Since until 19 December 2025 no objection has been lodged, the Düsseldorf Local Division issued a preliminary injunction and ordered further provisional measures.
6. By brief dated 13 January 2026, the Applicant informed the Court that it has sent an email at the address inkpadeu@ink-pad.net, as listed in Defendant's 2. Amazon seller profile. In this email, the Applicant informed Defendant 2. of the above mentioned order, included a link to the published order and requested Defendant 2. to confirm the receipt of the email and the Court's order by 12 January 2026. However, according to the Applicant, Defendant 2. did not respond.

INDICATION OF THE PARTIES' REQUESTS:

7. The Applicant requests,

1. that the Court order that the publication of the order of provisional measures UPC_CFI_515/2025 dated 19 December 2025 on the Court's website with the names of

the parties and the file number, so that the order can be found under the decisions published on the website, constitutes good service on Defendant II pursuant to Rule 275.2 RoP UPC. Service shall be deemed effective as of the date of this order.

2. the order according to item 1. be published on the Court's website with the names of the parties and the file number, so that the order can be found under the decisions published on the website.

GROUND FOR THE ORDER:

8. Pursuant to R. 275.2 RoP, on a reasoned request by the claimant, the Court may order that steps already taken to bring the statement of claim to the attention of the defendant by an alternative method or at an alternative place is good service.
9. The Düsseldorf Local Division considered the requirements for such a service were met with regard to the application for provisional measures. For details, reference is made to the order of 11 December 2025 to avoid repetition.
10. Pursuant to R. 6.1(a) RoP, the order of 19 December 2025 must also be served. However, if it has not been possible to serve the application for provisional measures in accordance with R. 274 RoP and there is no indication that the order containing a preliminary injunction and ordering of further provisional measures, issued subsequently in the same proceedings, can be served in accordance with R. 274 RoP, it is not necessary to attempt to serve this order in accordance with R. 274 RoP before an order is made under R. 275.2 RoP. It would be incompatible with the principle of effective judicial protection to force the Applicant, or even the Court, to take steps to ensure effective service which are clearly futile (regarding a decision by default: UPC_CFI_509/2023 (LD Munich), Order of 21 January 2025 – air up group v Guangzhou Aiyun Yanwu Technology).
11. Despite the Applicant's repeated attempts to establish contact via email and the publication of the R. 275.2 RoP order regarding the PI application and the publication of the 19 December 2025 order containing the preliminary injunction and ordering further provisional measures on the UPC website, Defendant 2. did not contact the Applicant or the Court. Attempts to formally serve the PI application were also unsuccessful.
12. There are no other effective means of informing Defendant 2. of the preliminary injunction and the ordering of further provisional measures. Any attempt to formally serve this order in China would not be compatible with the requirement for effective legal protection, given the time involved and the uncertain prospects of success based on previous experience.
13. On the assumption that the rules of service of the Rules of Procedure must be interpreted in accordance with the principle of effective judicial protection, the Court declares that the publication of the order on the Court's website, of which Defendant 2. had been notified via email, constitutes good service.

ORDER:

- I. The publication of the order containing a preliminary injunction and ordering of further provisional measures, dated 19 December 2025, on the Court's website with the names of the parties and the file number, so that the order can be found under the decisions published on the website, constitutes good service on Defendant 2. pursuant to Rule 275.2 RoP.
- II. Service is deemed to be effective as of the date of this order.
- III. This order shall be published on the Court's website with the names and the file number, so that the order can be found under the orders and decisions published on the website.

Issued in Düsseldorf on 2 February 2026

NAMES AND SIGNATURES

Presiding Judge Thomas	 <p>Digital unterschrieben von Ronny Thomas Datum: 2026.01.30 10:52:50 +01'00'</p>
Legally qualified judge Dr Schumacher	
Legally qualified judge Lopes	