



**Düsseldorf local division**  
**UPC\_CFI\_1648/2025**

**Decision**  
**of the Court of First Instance of the Unified Patent Court issued on**  
**11 February 2026**  
**concerning EP 1 954 091 B1**

**Claimant:**

**Avago Technologies International Sales Pte. Limited**, represented by its board of directors, 1 Yishun Avenue 7, Singapore 768923, Singapore

represented by: all lawyers licensed to practise in the Federal Republic of Germany of Grünecker PartG mbB, in particular Dr Bernd Allekotte, lawyer, Sebastian Ochs, lawyer, Leopoldstraße 4, 80802 Munich, Germany

with the assistance of: all European patent attorneys of Grünecker PartG mbB who have the necessary qualifications pursuant to Art. 48 (2) of the UPC Agreement, in particular Mr. Patent Attorney Dr. Thomas Kronberger and Ms. Patent Attorney Valerie Faessler, Leopoldstraße 4, 80802 Munich, Germany

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**DEFENDANT:**

**Telefónica Germany GmbH & Co. OHG**, represented by its shareholders Telefónica Deutschland Holding AG and Telefónica Germany Management GmbH, Georg-Brauchle-Ring 50, 80992 Munich, Germany

represented by: Attorney Dr. Philipp Neuwald, Lorenz Seidler Gossel Rechtsanwälte Patentanwälte Partnerschaft mbB, Widenmayerstraße 23, 80538 Munich, Germany  
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**Patent at issue:**

**European Patent No. EP 1 954 091 B1**

DECISION-MAKING PANEL/CHAMBER:

Judicial Panel of the Local Division in Düsseldorf JUDGES

INVOLVED:

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

LANGUAGE OF THE PROCEEDINGS: German

SUBJECT: R. 265 RoP – Application for withdrawal of the action

BRIEF DESCRIPTION OF THE FACTS:

1. In a document dated 19 November 2025, the claimant filed a patent infringement action against the defendant.
2. Even before the conclusion of the written procedure, the claimant declared the withdrawal of the action.
3. The claimant requests
  1. that the withdrawal of the action be allowed and that the proceedings be declared closed in accordance with R. 265.1, 2 RoP.
  2. if necessary pursuant to R. 265.2(c) RoP, an order that the parties bear their own costs.
4. The defendant agrees to the withdrawal of the action.
5. Both parties agree that, in view of the out-of-court settlement, no decision on costs is required. An order that each party bear its own costs is therefore requested only in the event that a decision on costs is necessary with regard to Rule 265.2(c) of the RoP.

REASONS FOR THE DECISION:

6. The decision follows the unanimous will of the parties.
7. Although R. 265.2(c) RoP requires a decision on costs in accordance with Part 1, Chapter 5 RoP, this was dispensable in this case in view of the unanimous statement by the parties that no decision on costs was necessary (see UPC\_CFI\_505/2024, order of 24 January 2025, para. 13 – DexCom v. Abbott).

DECISION:

1. The withdrawal of the action is permitted on application by the Claimant and with the consent of the respondent.
2. The proceedings are declared closed.
3. This decision shall be entered in the register.

4. The amount in dispute for the action is set at EUR 1,000,000.

Issued in Düsseldorf on 11 February 2026

NAMES AND SIGNATURES

Presiding Judge Thomas	<b>Ronny</b>  signed Digitally by Ronny Thomas <b>Thomas</b> Date: 09/02/2026 16:12:10 +01'00'
Legally qualified judge Dr Schumacher	<b>JuleKathrin</b>  Digitally signed by Jule Kathrin Schumacher Date: 11 February 2026 10:34:50
Legally qualified judge Mlakar	<b>MOJCA</b>  Digitally signed MOJCA MLAKAR Date: 09.02.2026 18:24:25
For the Deputy-Registrar	<b>Bettina</b>  signed Digitally by Bettina Broock <b>Broock</b> Date: 11 February 2026 10:58:49 +01'00'