



Milan Local Division

**UPC CFI No. 770/2024, No. 556/2025  
Order  
issued on 13 February 2026**

PLAINTIFF

Pirelli Tyre s.p.a. ('Pirelli')

DEFENDANT

Sichuan Yuanxing Rubber Co., Ltd. ('SYR')

DECIDING BODY

Presiding Judge and Judge-Rapporteur Pierluigi Perrotti

LANGUAGE OF THE PROCEEDINGS

Italian

**ORDER**

Pursuant to R. 105.5 RoP, the judge-rapporteur issues an order with the decisions adopted at the outcome of the interim conference.

In the present case, the interim conference was held via remote connection using the Webex platform on 11 February 2026, starting at 11 a.m., and was audio recorded in accordance with the provisions of R. 106 RoP.

The parties agreed on the main topics to be discussed at the interim conference, as previously identified by the judge-rapporteur in an order dated 23 January 2026.

These are the decisions of the judge-rapporteur on the issues discussed during the interim conference.

The judge-rapporteur acknowledges that SYR filed its comments on the order of 23 January 2026 on 3 February 2026, one day after the deadline of 2 February 2026. Pirelli's defence stated that it accepted the challenge to the content of SYR's defence note filed on 3 February 2026.

### 1. Possibility for the parties to reach an agreement

The possibility of an agreement was examined with the parties, but without success at this stage.

Should a concrete prospect of an agreement emerge in the future, the judge-rapporteur has asked the parties to inform the Court promptly.

### 2. SYR's preliminary objection of failure to notify the application for interim relief

In light of the decision contained in the collegiate order of 14 July 2025, SYR declared that it was waiving the preliminary objection of failure to notify the appeal.

Pirelli took note of the other party's waiver.

The judge-rapporteur in turn took note and the objection will therefore not be further examined by the Court.

### 3. Admissibility of photographs 1 - 14 included in Pirelli's doc. 33 and Annex A to Pirelli's doc. 33.

### 4. Correspondence between photographs 1 - 14 included in Pirelli's doc. 33 and the tyre samples seized on 6 November 2024

### 5. Necessity and, if so, methods of cross-examination of the product samples subject to seizure

SYR stated that it would uphold the objections of (i) inadmissibility of photographs 1 - 14 included in Pirelli's doc. 33 and Annex A to Pirelli's doc. 33, and (ii) lack of evidence of an actual correspondence between photographs 1 - 14 included in Pirelli's document 33 and the tyre samples seized on 6 November 2024, both of which objections had already been raised and explained in its defence briefs. SYR reiterated that it had not had the opportunity to examine the seized tyre samples.

Pirelli contested the validity of the other side's objections, pointing out that the additional photographs were attached in response to the defendant's arguments and should therefore be considered admissible, as already noted in its defence briefs.

Pirelli also declared its interest and full availability to carry out a cross-examination of the seized product samples, currently in the custody of a third party, leaving it to the Court to assess the necessity of this pending matter.

Without prejudice to its objections, SYR did not oppose the cross-examination requested by the plaintiff, provided that the Court deemed it necessary.

TQJ Elisabetta Papa pointed out that a complete examination of the sample also requires cutting it open in order to view its internal layers and, in particular, the radial carcass structure and its characteristics. She also clarified that the operation requires appropriate equipment but should not be particularly complex, meaning that it could be carried out during the oral hearing.

In light of this clarification, the parties agree that the cross-examination of the product samples - where deemed necessary by the Court - will take place during the oral hearing, proceeding with the necessary operations during the hearing.

Pirelli's defence reserved the right to verify with its client the technical feasibility of this operation during the oral hearing. Should any currently unknown difficulties arise, it will file a specific request for the cross-examination to be carried out in a special hearing, to be held before the oral hearing and in the presence of the Panel or one or more judges delegated by the Panel.

The judge-rapporteur, having taken note of the foregoing, considering the necessity and, in any case, the appropriateness of proceeding with the examination of the seized tyre samples, orders the custodian, Mr Paolo Santonicola, to proceed no later than 30 March 2026, by appointment with the clerks, to deliver and file a complete copy of the seizure report executed on 6 November 2024 and all the tyre samples subject to seizure, as indicated in the relevant report, at the premises of the Sub-Registry of the Local Division of Milan, with the simultaneous drafting and subsequent uploading to the CMS of a report of delivery.

The tyre samples thus deposited will then be examined in detail during the oral hearing, in the presence of the parties and the Panel, with all the material operations necessary for the complete verification of their characteristics being carried out during the same hearing.

6. *Value of the actions proposed by the parties*

7. *Legal costs*

The parties have agreed to maintain the value of the case as stated in their respective defence briefs.

Therefore, the value of the dispute is set at €500,000 for the patent infringement action and €500,000 for the counterclaim for revocation. This determination may be reconsidered by the Panel at the end of the oral hearing when deciding on the merits.

With regard to legal costs, the parties reserve the right to announce during the oral hearing whether they have reached an agreement on a pre-determined amount of legal costs to be reimbursed by the losing party, separately for each of the two actions.

#### 8. Preparation for the oral hearing

It is confirmed that the oral hearing will be held in person at the Milan Local Division on 14 April 2026 at 10 a.m.

As previously clarified, the patent infringement action and the counterclaim for revocation will be discussed jointly.

With regard to the examination of the seized product samples during the oral hearing, reference is made in full to everything already reported and established in points 3, 4 and 5 above.

The parties are authorised to use slides during the oral hearing in order to better illustrate the case, including only defensive arguments already developed and contained in their written briefs, with the prohibition of introducing new elements. The slides must be sent and exchanged between the parties by e-mail, including the e-mail address of the Milan Local Division [contact\\_milan.loc@unifiedpatentcourt.org](mailto:contact_milan.loc@unifiedpatentcourt.org), no later than 7 April 2026, so that the parties and the Court can review them in advance.

The approximate duration of the oral hearing will be around 6 hours.

Further details on the conduct of the hearing will be provided at a later date.

For any practical requirements relating to the oral hearing, the parties are invited to contact the clerks at the Sub-Registry of the Milan Local Division in a timely manner.

A copy of this order must be communicated to the custodian, Mr Paolo Santonicola, by the Sub-Registry.

Milan, 13 February 2026.

*Pierluigi Perrotti*  
Presiding Judge and Judge Rapporteur

**Pierluigi Perrotti**   
Digitally signed by  
Pierluigi Perrotti Date:  
13 February 2026  
12:35:08 +01'00'