



UPC_CFI_1176/2026
Decision
of the Court of First Instance of the Unified Patent Court
issued on 13 May 2026

CLAIMANT

Nissan Deutschland GmbH,
Kronenweg 38, 50389 Wesseling - DE

Represented by
Christof Karl,
Bardehle Pagenberg

DEFENDANT

Avago Technologies International Sales Pte.
Ltd., Singapore - SG

PATENT AT ISSUE

EP 1903733

DECIDING JUDGES

This decision is issued by the presiding judge and judge-rapporteur Marjolein Visser, the legally qualified judge Maximilian Haedicke and the technically qualified judge Andrea Scilletta.

COMPOSITION OF PANEL – FULL PANEL

Presiding judge and judge-rapporteur	Marjolein Visser
Legally qualified judge	Maximilian Haedicke
Technically qualified judge	Andrea Scilletta

LANGUAGE OF PROCEEDINGS: English

SUBJECT-MATTER OF THE PROCEEDINGS

Revocation action

Application to withdraw the action (R. 265 RoP)

SUMMARY OF THE PROCEEDINGS AND APPLICATIONS

1. By document dated 7 April 2026, the Claimant has filed a revocation action regarding the patent in suit against the Defendant.
2. On 23 April 2026, the Claimant filed an application to withdraw the action according to R. 265 RoP. It submitted that no application for a cost decision will be filed by any party. Claimant further asked for a partial reimbursement of the court fees according to R. 370.9(b) RoP.
3. Service on the Defendant has not yet taken place.

GROUNDS FOR THE DECISION

4. Pursuant to R. 265.1 RoP, as long as no final decision has been taken, a Claimant may apply to withdraw his action. The Court shall decide on the application after hearing the other party. The application to withdraw shall not be permitted if the other party has a legitimate interest in the action being decided by the Court.
5. In the present case, the application is admissible since no final decision has been taken. As the application to withdraw the action was filed before the Statement for revocation was served, no rights and obligations have arisen for the Defendant. Therefore the Defendant has no legitimate interest in participating in these proceedings and does not need to be heard (UPC_CFI_122/2024 (CD Paris), decision of 9 August 2024).
6. The Court will declare the proceedings closed and this decision will be entered on the register in accordance with R. 265.2(a) and (b) RoP. As this has not been requested, a cost decision will not be issued.
7. As the application for withdrawal has been filed after 1 January 2026, the amended R. 370.9 RoP is applicable (UPC_CoA_328/2025, decision of 9 January 2026, Juul vs. NJOY, para. 11). 50% of the court fees will therefore be reimbursed, resulting in an amount of (50% of EUR. 26.500) EUR 13.250.





DECISION

The panel,

permits the withdrawal of the revocation action UPC_CFI_1176/2025 and declares the proceedings closed;

orders that this decision be entered on the Register;

orders that 50% of the court fees be reimbursed to the Claimant.

Marjolein Visser, presiding judge and judge-rapporteur	 <p>Marjolein Jeanette Johanna Visser</p> <p>Signature numérique de Marjolein Jeanette Johanna Visser Date : 2026.05.13 10:40:30 +02'00'</p>
Maximilian Haedicke, legally qualified judge,	 <p>Maximilian Wilhelm Haedicke</p> <p>Digital signiert von Maximilian Wilhelm Haedicke DN: cn=Maximilian Wilhelm Haedicke, c=DE Datum: 2026.05.13 09:57:51 +02'00'</p>
Andrea Scilletta, technically qualified judge	 <p>Firmato digitalmente da: Scilletta Andrea Firmato il 12/05/2026 17:45 Seriale Certificato: 5696650 Valido dal 12/02/2026 al 12/02/2029 InfoCamere Qualified Electronic Signature CA</p>
For the Deputy-Registrar,	 <p>Carol BEURTHÉRET</p> <p>Signature numérique de Carol BEURTHÉRET Date : 2026.05.13 10:51:06 +02'00'</p>