



On 6 May 2026, the representative of Ambaflex International indicated that they were withdrawing their action for invalidity against patent EP 2743216, stating that the parties had reached an agreement and would not claim any reimbursement of costs from one another.

who, in accordance with Rule 265 of the RoP, was asked to state its position on the request for withdrawal, requested on 11 May 2026 that the Central Division:

- note the withdrawal by Ambaflex International of the invalidity action against the German (DE), British (GB), Spanish (ES), French (FR), Italian (IT), Polish (PL), Liechtenstein (LI), Romanian (RO) and Swiss (CH) national parts of patent EP 2 743 216;
- to note its acceptance of the said withdrawal by that company of the action for revocation;
- to note (i) the lapse of the invalidity proceedings brought by the German (DE), British (GB), Spanish (ES), French (FR), Italian (IT), Polish (PL), Liechtenstein (LI), Romanian (RO) and Swiss (CH) national divisions of patent EP 2 743 216 and (ii) the Central Division's lack of jurisdiction;
- rule that, in accordance with their agreements, each party shall bear its own costs, non-recoverable expenses and legal costs incurred in connection with the present action.

### Reasons

According to Rule 265(1) of the RoP, 'until a final decision has been taken, an applicant may request to withdraw its application. The Court shall rule on the request for withdrawal after hearing the other party. The request for withdrawal shall not be granted if the other party has a legitimate interest in the case being decided by the Court'.

In the present case, on 30 December 2025, Ambaflex International brought an action for the revocation of patent EP 2743216, expressly requesting that the said patent "be revoked in its entirety with effect in CH/LI, DE, ES, FR, GB, IT, PL, RO (Rule 44(d) of the RoP)", and that the patent proprietor bear the costs of the invalidity proceedings.

On 6 May 2026, Ambaflex International announced that it was withdrawing its action for revocation brought on 30 December 2025 against patent EP 2743216

the patent proprietor, in particular, accepted on 11 May 2026 the withdrawal of Ambaflex's action for revocation, requested that the revocation application against patent EP 2743216 be declared discontinued, and that each party bear its own costs of the proceedings, non-recoverable costs and legal expenses, in accordance with the agreements reached between the parties.

In view of the withdrawal of the application for revocation and the defendant's acceptance of the withdrawal, it is appropriate to record this withdrawal, to declare the proceedings closed, and to order the entry of this decision in the Register, in accordance with Article 265.2(a) and (b) of the RoP.

It is hereby noted that, in view of the agreement between the parties, each party shall bear the costs it has incurred.

### Decision

The Panel:

- notes the withdrawal of the application filed by Ambaflex International seeking the revocation of patent EP 2743216 as requested,

- declares case UPC\_CFI 002286/2025 closed,
- orders that this decision be entered in the UPC Register,
- notes the agreement of the parties that each shall bear the costs it has incurred.

The President, Judge-Rapporteur

FRANÇOIS  
PAUL  
ETIENNE  
Thomas

Digital signature of  
FRANÇOIS PAUL  
ETIENNE  
Thomas

The legally qualified judge

Maximilian  
Wilhelm  
Haedicke

Digitally signed by Maximilian Wilhelm Haedicke, DN: cn=Maximilian Wilhelm Haedicke, c=DE, Date: 20 May 2026 15:04:10 +02'00'

Date: 20 May 2026  
15:04:43 +02'00'

The technically qualified judge

Michel,  
Robert,  
Gérard  
Abello

Digital digital signature of Michel, Robert, Gérard Abello  
Date: 20 May 2026  
13:26:27 +02:00

The Registrar

Unified Patent Court  
Einheitliches Patentgericht  
Unified Patent Court

Digital digital signature of  
MARIE-ANGE  
MARIE-ANGE  
GRONDEIN

#### DETAILS OF THE DECISION

An appeal against this decision may be lodged in accordance with the conditions laid down in Article 73 of the UPCA and Rules 220 and 224 of the RoP.