



UPC_CFI_1661/2025
Procedural Order
of the Court of First Instance
of the Unified Patent Court
delivered on 03/06/2026

PARTIES:

Sun Patent Trust, 437 Madison Avenue, 35th Floor, 10022 – New York - USA,

Claimant,

Representatives:

Attorneys-at-law and UPC Representatives of
BARDEHLE PAGENBERG Partnerschaft mbB
Patentanwälte, Rechtsanwälte,
Lead Attorney-at-law Dr. Volkmar Henke
Lead Patent attorney Tobias Kaufmann

1. **LYNK & CO International AB**, represented by their directors, Planetgatan 6, 417 55
Göteborg, Etage 1 – Uni3 by Geely, Sweden,

Defendant 1),

2. **LYNK & CO Sales Germany GmbH**, represented by their directors, Große Hamburger Straße
32, 10115 Berlin, Germany,

Defendant 2),

3. **Zeekr EU B.V.**, represented by their directors, Jachthavenweg 112, 1081 KJ Amsterdam,
The Netherlands,

Defendant 3)

4. **ZEEKR Germany GmbH**, represented by their directors, Magellan-Allee 4, 65479 Raunheim,
Germany,

Defendant 4),

5. **Lotus Cars Europe B.V.**, represented by their directors, Johan Huizingalaan 400-A, NL-1066
JS Amsterdam, The Netherlands,

Defendant 5),

6. **Lotus Cars Deutschland GmbH**, represented by their directors, Franz-Joseph-Str. 11, 80801 München, Germany,

Defendant 6),

7. **Smart Europe GmbH**, represented by their directors, Esslinger Straße 7, 70771 Leinfelden-Echterdingen, Germany,

Defendant 7),

Representative:

Dr. Henrik Lehment, Hogan Lovells International LLP,
Dreischeibenhäuser 1, 40211 Düsseldorf, Germany,
Electronic address for service: upc-hub@hoganlovells.com

PATENT IN SUIT: EP 2 618 514

DECIDING JUDGES:

Panel of the Local Division Hamburg

COMPOSITION OF THE PANEL:

Presiding judge and judge-rapporteur Sabine Klepsch

Legally qualified judge Dr. Stefan Schilling

Legally qualified judge Petri Rinkinen

Technically qualified judge Wiem Samoud

LANGUAGE OF PROCEEDINGS: English

SUBJECT-MATTER OF THE PROCEEDINGS: Infringement action - Withdrawal

SHORT SUMMARY OF FACTS:

With submission of 29 May 2026, the Claimant requests permission to withdraw its infringement action and request the Panel to issue an order pursuant to R. 265.2 RoP. Each party will bear its own costs and will not make any application for a cost decision. Since neither party will make an application for a cost decision and no reimbursement of costs between the parties is envisaged, no decision of the Panel on costs is required. The Defendants declare its consent to the application for withdrawal and confirm that no claims for costs will be made.

The Claimant further request that 50% of the court fees paid for the action be reimbursed to the Claimant, R. 370.9(b) RoP.

GROUND FOR THE ORDER:

The decision follows the unanimous requests of the parties. Insofar as Rule 265.2 (c) RoP requires a decision on costs in accordance with Part 1, Chapter 5 RoP, the parties did not request any cost decision due to the agreement reached between them.

The order of reimbursement of 50% of the court fees is based on R. 370.11 RoP in conjunction with R. 370.9 lit. (b) (iii) RoP, since the action is terminated before the closure of the oral procedure.

ORDER:

1. The withdrawal of the Infringement Action (UPC_CFI_1661/2025) against the Defendants is permitted.
2. This decision shall be recorded in the register.
3. It is confirmed that no cost decision is required.
4. The value of the infringement action is set to 5 million €.
5. The Registrar is ordered to reimburse the Claimant as soon as possible 50% of the court fees it has paid for the infringement action.

INFORMATION ON THE APPEAL:

An appeal against the decision may be brought before the Court of Appeal by any party which has not obtained all or any of the forms of order sought within two months of the date of notification of the decision (Art. 73(1) UPCA, R. 220.1(b), R. 224 Rules of Procedure).

INSTRUCTIONS TO THE SUB-REGISTRY:

The case can be closed in the CMS in its entirety after the reimbursement of the court fees.

Sabine Klepsch Presiding Judge und Judge-rapporteur	
Dr. Stefan Schilling Legally qualified Judge	
Petri Rininen Legally qualified Judge	
Wiem Samoud Technically qualified Judge	
For the sub-registry	