



**Munich local division
UPC_CFI_1271/2026**

**Procedural Order
of the Court of First Instance of the Unified Patent Court,
Munich local division
issued on 8 July 2026**

Claimant

Huawei Technologies Co. Ltd.

Bantian Huawei Base, Longgang District, Shenzhen, 518129, China

Legally represented by Ms Zhao Minglu, of the same address

represented by: Dr Tobias J. Hessel, Thomas Misgaiski, Lea Prehn, Dr Marie Gessat
(Clifford Chance Partnerschaft mbB)

supported by: Patent attorneys from the firm Eisenführ Speiser Patentanwälte
Attorney-at-laws

defendant

1) Sercomm Corporation

8F, No. 3-1, Yuan Qu St., Nan Kang, Taipei 115, Taiwan

represented by the management, which in turn is represented by Chairman James Wang
and President Ben Lin

2) SerComm Deutschland GmbH

Prinzenallee 7, 40549 Düsseldorf, Germany

represented by its managing directors Cheng-Che Hsu and Joel Ludvigsen

3) Sercomm France SARL

1 rue de Stockholm, 75008 Paris, France

represented by its managing directors Cheng-Che Hsu and Joel Ludvigsen

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4) Sercomm Italia SRL

Via Litta 4, 20045, Lainate (MI), Italy

represented by its managing directors Cheng-Che Hsu and Joel Ludvigsen

2) and 3) represented by: Dr Steffen Steininger, Dr Daniel Kaneko, Fabian Langer,
Dr Andreas Schmid, Dr Alexander Lebschy (Hogan Lovells
Cadwalader International LLP)

PATENT AT

ISSUE EP 3 611

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DECISION-MAKING PANEL

Panel 1a of the local division of the Munich Regional Chamber.

DECIDING JUDGE

This order was issued by the presiding judge, Dr Matthias Zigann, acting as judge-rapporteur.

language of the proceedings

German

SUBJECT MATTER OF THE PROCEEDINGS

Rule 105.5 of the RoP – early interim hearing of 8 July 2026 FACTS

OF THE CASE AND THE PARTIES' APPLICATIONS

1. In the action brought on 15 April 2026, Huawei asserts claims for indirect infringement of claims 1 to 6 and direct infringement of claims 7 to 12 of European Patent 3 611 989 by the defendants.
2. The claimant submits that the patent in suit is essential for Wi-Fi 6. The claimant licences the patent in suit both bilaterally and via the SISVEL pool.
3. The claim was served on the second defendant on 12 June 2026. The effective date of service is 22 June 2026.
4. The claim was served on the third defendant on 3 July 2026. The effective date of service is 3 July 2026.

5. Service on the first and fourth defendants is still pending. Service on the fourth defendant is likely to take place shortly. Service on the first defendant is likely to take some time.
6. On 8 July 2026, an early interim hearing was held via videoconference to discuss the next steps. The following took part:

on behalf of the court:

Dr Matthias Zigann, judge-rapporteur

For the claimant:

Dr Tobias Hessel, Thomas Misgaiski, Lea Prehn, Dr Marie Gessat (Clifford Chance); Thomas Dreiser (Huawei)

For the second and third defendants:

Dr Steffen Steininger, Dr Daniel Kaneko, Fabian Langer (Hogan Lovells Cadwalader International LLP)

7. The following points were discussed:

- The Court refers to the Chamber's decision of 18 December 2024 (UPC_CFI_9/2023). Against this background, it would be helpful for the further planning of the proceedings to know how the defendants intend to conduct their defence.

- The representatives of Defendants 2) and 3) state that this is the defendants' first case before a European court. It is not currently possible to appoint legal representatives for Defendants 1) and 4) either. They are still at the stage of establishing the facts of the case. No definitive statements regarding the defence strategy can be made at this time. However, it must currently be assumed that a counterclaim for annulment will be filed. Irrespective of this, the defendants are willing to take out a FRAND licence.

- The representatives of the Claimant and of Defendants 2) and 3) state that they are available on the proposed dates for a further interim hearing (16 April 2027) and an oral hearing (5 May 2027).

- The Claimant's representatives state that they could envisage a uniform system of time limits, at least for defendants 2) and 3). The relevant date must fall in the middle.
- The Court states that Defendants 1) and 4) may, of course, await service of the statement of claim or the orders in lieu of service. However, if necessary, four different time limits will then apply to the individual defendants. If these differ too greatly, a separation of the proceedings may be considered. Insofar as the parties agree on a uniform time limit regime, this must not jeopardise the preparation and conduct of the scheduled hearings (16 April 2027 and 5 May 2027). Agreeing on a schedule of time limits, including a uniform deadline for filing statements of defence by 5 October 2026 at the latest, would be consistent with these dates. The alignment of time limits sought by the parties could also be achieved through joint filing, with the parties partially waiving their right to make full use of individually longer time limits.
- The court suggests that the parties' representatives agree bilaterally on a confidentiality regime involving a 'Confidentiality Club', should this become necessary. Within this framework, it would also be possible to agree on 'Attorney-Eyes-Only' for third-party documents. However, whether such information may also be used in the final decision remains to be clarified by the panel. If necessary, the requirements of Rule 262A.6 of the RoP would have to be taken into account in a second step.
- The court suggests that the parties consider making use of the services of the PMAC in the period leading up to the oral hearing.
- The Court further suggests that the parties reach at least a settlement of costs by agreeing on a lump sum, in order to avoid a time-consuming costs assessment procedure. This agreement should take into account any potential separation of proceedings and the associated holding of several hearing dates.

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ORDER

1. The claimant and the second and third defendants are summoned to a further interim hearing by video conference on 16 April 2027 at 10.00 am. The remaining defendants may attend provided they are represented by a UPC representative.
2. The claimant and the second and third defendants are summoned to attend the oral hearing in person in Courtroom 212 and Overflow Room 220b at Denisstraße 3, Munich, on 5 May 2027 at 9.00 am. The remaining defendants may attend provided they are represented by a UPC representative.
3. The claimant and defendants 2) and 3) are requested to submit proposals for the topics of the second interim hearing by 8 April 2027 and to provide the names and roles of the participants.
4. The claimant and defendants 2) and 3) are requested to provide the names and roles of the participants in the oral hearing by 28 April 2027. Please also indicate whether participation via video conference is desired.
5. The Court reserves the right to separate the proceedings.

INSTRUCTIONS TO THE REGISTRY

The relevant invitations for a video conference on 16 April 2027 and, if necessary, also on 5 May 2027 are to be sent out.

INFORMATION ON REVIEW BY THE PANEL

Any party may apply for a review of this order by the panel in accordance with Rule 333 of the RoP. The order remains in force pending the review (Rule 102.2 of the RoP).

INFORMATION ON THE ORAL HEARING IN COURT

The oral hearing is open to the public, unless the court decides, where necessary, to hold a hearing in camera in the interests of one of the parties or third parties, or in the general interest of justice or public order (Rule 115 of the RoP).

INFORMATION ON AUDIO RECORDING

An audio recording of the hearing will be made. The recording will be made available to the parties or their representatives on the premises of the court following the hearing (Rule 115 of the RoP).

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INFORMATION ON THE ABSENCE OR LATE ARRIVAL OF A REPRESENTATIVE

Upon application, a default judgment may be issued against a party if a party who has been duly summoned fails to appear at an oral hearing. (Rule 355.1 (b) of the RoP).

INFORMATION REGARDING A DEFAULT JUDGMENT

If a party fails to comply with this order within the prescribed time limit, a default judgment may be issued in accordance with Rule 355 of the RoP (Rule 103.1, last subparagraph, and .2 of the RoP).

Dr Zigann, presiding
judge