



UPC Court of Appeal
Appeal n°:
UPC-CoA-936/2025

ORDER
of the Court of Appeal of the Unified Patent Court
concerning an application for withdrawal (R. 265 RoP)
issued on 15 July 2026

APPELLANTS (DEFENDANTS IN THE MAIN PROCEEDINGS BEFORE THE COURT OF FIRST INSTANCE)

1. **Amazon.com, Inc.**, Seattle, Washington, USA
2. **Amazon Digital UK Limited**, London, United Kingdom
3. **Amazon Europe Core S.à.r.l.**, Luxemburg
4. **Amazon EU S.à.r.l.**, Luxemburg
5. **Amazon Technologies, Inc.**, Seattle, Washington, USA

hereinafter together: “**Amazon**”

represented by Klaus Haft, attorney-at-law, HOYNG ROKH MONEGIER, and other representatives of that firm

RESPONDENTS (APPLICANTS IN THE MAIN PROCEEDINGS BEFORE THE COURT OF FIRST INSTANCE)

1. **InterDigital VC Holdings, Inc.**, Wilmington, Delaware, USA
2. **InterDigital Patent Holdings, Inc.**, Wilmington, Delaware, USA
3. **InterDigital Madison Patent Holdings, SAS**, Issy-les-Moulineaux, France
4. **InterDigital CE Patent Holdings, SAS**, Issy-les-Moulineaux, France

hereinafter together: “**InterDigital**”

represented by Cordula Schumacher, attorney-at-law, ARNOLD RUESS Rechtsanwälte, and other representatives of that firm

PATENTS AT ISSUE

The patents listed in InterDigital’s exhibit AR 10

DECIDING PANEL

Panel 3

Ulrike Voß, presiding judge and legally qualified judge

Peter Blok, legally qualified judge and judge-rapporteur

Emmanuel Gougé, legally qualified judge

LANGUAGE OF THE PROCEEDINGS

English

IMPUGNED ORDER OF THE COURT OF FIRST INSTANCE

- ☐ Order of the Local Division Mannheim, dated 22 December 2025
- ☐ Reference number: UPC_CFI_936/2025

SUMMARY OF FACTS AND PARTIES' REQUESTS

1. By order of 30 September 2025, the Mannheim Local Division granted *ex parte* preliminary measures against Amazon. Amazon filed an application for review, requesting that the Court revoke the measures. By final order dated 22 December 2025, the Mannheim Local Division rejected the application for review ("the impugned order").
2. On 23 December 2025, Amazon filed an appeal against the impugned order together with an application for suspensive effect. The latter was dismissed by the Court of Appeal on 29 December 2025.
3. Amazon filed a Statement of response. The oral hearing was held on 28 Mai 2026.
4. On 10 July 2026, InterDigital filed an application pursuant to R. 265 RoP for withdrawal of its application for provisional measures, indicating that Amazon consents to the withdrawal and will not apply for a cost decision.
5. In the statement of 10 July 2026, Amazon consented to InterDigital's withdrawal of the application for provisional measures and indicated that the parties have agreed that neither of them shall file an application for reimbursement of costs versus the other party.

GROUND FOR THE ORDER

Conditions for permitting withdrawal

6. As long as there is no final decision in an action, a claimant may, pursuant to R. 265.1 RoP, apply to withdraw his action. The application to withdraw shall not be permitted if the other party has a legitimate interest in the action being decided by the Court.
7. The application for withdrawal is admissible. It concerns an action for provisional measures and there is no final order in the action pending the appeal against the impugned order (CoA, 15 January 2025, UPC_CoA_637/2024, Avago vs Tesla).
8. In view of its consent, Amazon cannot be considered to have a legitimate interest in the action being decided by the Court.

9. On application by InterDigital and with the agreement of Amazon, the Court of Appeal therefore permits the withdrawal of the action for provisional measures.

Costs

10. R. 265.2 (c) RoP provides that the Court shall issue a cost decision in accordance with Part 1, Chapter 5 (R.150 to 152 RoP).
11. Since both parties agreed that neither of them shall file an application for reimbursement of costs versus the other party, there is no need for a cost decision in the present case.

ORDER

The Court of Appeal

- I. permits the withdrawal of the action for provisional measures and declares the proceedings closed;
- II. orders that this order be entered on the register.

This decision was issued on 15 July 2026.

Ulrike Voß, presiding judge and legally qualified judge

Peter Blok, legally qualified judge and judge-rapporteur

Emmanuel Gougé, legally qualified judge