



Central Division (Munich Section)
UPC_CFI_835/2025

Decision

of the Court of First Instance of the Unified Patent Court,
Central Division (Munich Section)

issued on 19 August 2026

Claimant

Shinhoo Europe S.r.l., Via Tevere 58, 30173 Venice, Italy,

Represented by: Dr Ulrich Blumenröder, Attorney-at-law; Dr Nicola Busch, Attorney-at-law; Dr Alexander Stumvoll, patent attorney; Grünecker PartG mbB, Leopoldstraße 4, 80802 Munich

DEFENDANT

Grundfos Holding A/S, Poul Due Jensens Vej 7, 8850 Bjerringbro, Denmark,

Represented by: Dr Markus B. Bölling, Attorney-at-law; Christian Rupp, Patent Attorney; Alexander Bach, Attorney-at-law, Mitscherlich PartmbB, Karlstr. 7, 80333 Munich.

PATENT AT ISSUE

EP 2 778 423

PANEL/CHAMBER

Panel 1 of the Central Chamber (Munich Division).

JUDGES

This decision was issued by the presiding judge and judge-rapporteur, Mr Kupecz, the legally qualified judge, Mr Adocker, and the technically qualified judge, Mr Michels.

language of the proceedings

German.

SUBJECT-MATTER OF THE

PROCEEDINGS

Revocation action

BRIEF STATEMENT OF THE FACTS

1. On 3 September 2025, the claimant filed an action with the Central Chamber, Munich Division, seeking the revocation of European patent EP 2 778 423 with effect for Germany, France and Italy.
2. Even before the conclusion of the written procedure, the claimant, by a document dated 24 June 2026, declared the (partial) withdrawal of the action and applied for a refund of 50 per cent of the court costs.
3. The proceedings were stayed with effect from 24 June 2026 until the proceedings are concluded by a court decision, in so far as a continuation is not necessary for the conclusion of the proceedings.
4. By a document dated 30 July 2026, the Claimant amended her applications of 24 June 2026 and stated that, following a suggestion by the Central Chamber on 14 July 2026, the parties had in the meantime agreed on an arrangement regarding the bearing of costs, to the effect that the defendant would reimburse the Claimant a lump sum of EUR 20,000.00 to offset costs. This amount is to be reimbursed within 4 weeks of a corresponding order by the Central Chamber.

5. The claimant now requests:
 - I. that the isolated action for annulment be withdrawn in its entirety and that a decision be issued declaring the proceedings to be terminated;
 - II. to order that the decision be entered in the register;
 - III. to order that the defendant reimburses the claimant the sum of EUR 20,000.00 within four weeks, and that the parties have no further claims for reimbursement of costs arising from these proceedings;
 - IV. that 50 per cent of the court fees for the stand-alone action for annulment be refunded to the Claimant.
6. The defendant has consented to the withdrawal of the claim and to applications II–IV.

GROUND FOR THE DECISION

7. The stay of proceedings is no longer effective following this decision to terminate the proceedings.
8. The withdrawal of the action for annulment is granted. This decision reflects the parties' jointly expressed intention.
9. Pursuant to Rule 265.1 of the RoP, the claimant may apply to withdraw their action provided that no final decision on the action has yet been made. Neither party has asserted a legitimate interest, within the meaning of Rule 265.1 of the RoP, in a decision on the merits. Nor is any such interest otherwise apparent. Rather, the defendant has consented to the withdrawal of the action for annulment.
10. Furthermore, the Court must make a decision on costs in accordance with Rule 265.2(c) of the RoP. An agreement between the parties or an out-of-court settlement regarding costs must, in principle, be taken into account when deciding on costs. The Court sees no reason to depart from this principle.
11. The order for the proportionate reimbursement of court costs follows the Claimant's corresponding application and is based on Rule 370.9(b)(i) and Rule 370.11 of the RoP. The claim was withdrawn prior to the deadline of 25 June 2026 set by the judge-rapporteur pursuant to Rule 58 in conjunction with Rule 35 for the conclusion of the written procedure.
12. As the claimant has paid a court fee of EUR 20,000.00, EUR 10,000.00 is to be refunded to her.

DECISION

1. The withdrawal of the action for annulment is permitted on the claimant's application and with the defendant's consent.
2. The proceedings are hereby declared to be closed.
3. This decision is to be entered in the register.
4. The defendant is to reimburse the claimant the sum of EUR 20,000.00 within four weeks. The parties have no further claims for reimbursement of costs arising from these proceedings.
5. The Registrar is instructed to reimburse the Claimant, as soon as possible, 50 per cent of the court fees paid by her in these proceedings, amounting to EUR 10,000.00.

NAMES AND SIGNATURES

András Kupecz Presiding Judge	András Ferenc Kupecz Signed digitally by András Ferenc Kupecz Date: 14 August 2026 19:56:34 +02'00'
Thomas Adocker Legally qualified judge	Thomas Adocker Digital signed by Thomas Adocker Date: 14 August 2026 23:20:32 +02'00'
Simon Michels Technically qualified judge	Digitally signed Michels Simon Stephan 17 August 2026 12:22:05 +0200 Unified Patent Court Einheitliches Patentgericht Juridiction unifiée du brevet
On behalf of the Deputy-Registrar	Digitally signed Nicole Schweiger 19 August 2026 10:53:49 +0200 Unified Patent Court Einheitliches Patentgericht Juridiction unifiée du brevet