



Milan Local Division

UPC CFI no. 2434/2026
order
issued on 4.9.2026

CLAIMANT

NIXU FL IP PROTECTION LLC

16690 Collins Avenue, Suite 1001, Sunny Isles Beach, FL 33160 USA

represented by

Emanuela Bianco, at *Saglietti Bianco*, corso Vittorio Emanuele II n. 83, 10128 Turin, Italy

Raimondo Galli, at *Studio Galli Avvocati*, via Pietro Calvi n. 5, 20129 Milan, Italy

Bernhard Thum, at *Thum & Partner*, Ismaninger Straße 57, 81675 Munich, Germany

DEFENDANTS

1) AMAZON WEB SERVICE, INC.

410 Terry Avenue North, Seattle, WA, 98109-5210, United States;

2) AMAZON WEB SERVICES EMEA SARL

38 Avenue John F. Kennedy, L-1855 Luxembourg, Luxembourg

3) AWS EUROPEAN SOVEREIGN CLOUD GMBH

Behlertstraße 3 A, Haus B 2, 14467 Potsdam, Germany,

4) AMAZON DATA SERVICES ITALY S.R.L.

viale Monte Grappa n. 3/5, 20124 Milan, Italy

represented by

Klaus Haft, at *Hoyng Rokh Monegier Düsseldorf*, Steinstraße 20, 40212 Düsseldorf, German

DECIDING JUDGE

presiding judge and judge-rapporteur Pierluigi Perrotti

LANGUAGE OF PROCEEDINGS

English

SUBJECT OF THE ORDER

Application for alignment of deadlines R. 9, 271 and 334 RoP

SUMMARY OF THE FACTS

On 31 August 2026, the defendants lodged an application for the alignment of deadlines, requesting the Court to:

- set the deadline for the statement of defence and for any counterclaim for revocation uniformly for all defendants as 11 November 2026;
- in the alternative, to set the deadline for the statement of defence and for any counterclaim for revocation uniformly for all defendants to a common date between 29 October 2026 and 11 November 2026, as the Court considers appropriate.

In support of their application, the defendants submitted that the statement of claim had been served on them on different dates, namely:

- on 29 July 2026 for defendant 4;
- on 3 August 2026 for defendants 2 and 3;
- on 11 August 2026 for defendant 1.

They further submitted that it is in their common interest to file a coordinated defence, and that the required coordination would be impaired and unnecessarily complicated by the application of three different procedural timelines, each linked to the respective date of service referred to above.

According to the defendants, the requested alignment of deadlines would entail a postponement of only 13 days and would therefore remain limited and objectively reasonable. They also submitted that the longer period required for service on the US defendant was due solely to the claimant's nine-day delay in paying the fee necessary to effect service in the United States.

On 2 September 2026, the claimant lodged its response to the defendants' application.

The claimant agreed that the defendants' subsequent deadlines should be aligned.

However, the claimant disputed that any alignment should necessarily be based on the date on which service was effected last, and expressly accepted 29 October 2026 as the common date. In the present case, all defendants belong to the same corporate group, are represented jointly by the same legal representative, and face the same allegations of infringement concerning the same patent.

The claimant further submitted that the extension sought by the defendants would have an adverse impact on the claimant, since it would shift subsequent deadlines so as to include the entire Christmas holiday period.

The claimant therefore requested the Court to align the deadlines for all defendants to 29 October 2026; in the alternative, should the Court align the defendants' deadlines to 11 November 2026 or to a date between 29 October 2026 and 11 November 2026, to extend the claimant's deadline for filing its reply to the statement of defence and counterclaim for revocation by a corresponding period, *i.e.* two weeks, or by such other period as the Court considers appropriate, in order to preserve equality of arms and avoid prejudice to the claimant's right of defence.

GROUNDS OF THE ORDER

Under R. 9.3 and 334(a) RoP, on a reasoned request by a party, the judge rapporteur may extend - even retrospectively - or shorten any time limit set by the Rules of Procedure.

The parties agree that it is necessary to align the deadlines in the written procedure, for reasons of efficient case management. The Court considers that a uniform timeline for all defendants avoids unnecessary repetition, cross-references and, more generally, an unreasonable complication of the further conduct of the proceedings.

However, the parties have not agreed on a specific date.

The Court notes that the defendants belong to the same corporate group. It is therefore reasonable to assume that, once service had been effected on the first of the defendant companies, the other defendants also had knowledge of the statement of claim (see UPC CFI no. 191/2025, LD The Hague, order of 16 April 2025). Accordingly, the judge-rapporteur considers it consistent with the principles of efficiency, equity, fairness and proportionality to align the time limits under R. 23 RoP for all defendants by taking 29 July 2026 as the common starting date.

ORDER

It is ordered that, for all defendants, the period for filing the statement of defence and counterclaim for revocation shall run from 29 July 2026. Accordingly, the statements of defence and any counterclaims for revocation shall be filed by 29 October 2026.

Milan, 4 September 2026.

Pierluigi Perrotti
presiding judge and judge rapporteur