



Local Division Düsseldorf
UPC_CFI_2051/2025
UPC_CFI_1653/2026

Decision

of the Court of First Instance of the Unified Patent Court
issued on 21 September 2026
concerning EP 3 258 692 B1

CLAIMANT (2051/2025) AND COUNTERDEFENDANT 1 (1653/2026)

Electronics and Telecommunications Research Institute, 161 Gajeong-dong, Yuseong-gu,
Daejeon 305-350, South Korea

COUNTERDEFENDANT 2 (1653/2026)

University-Industry Cooperation Foundation of Korea Aerospace University,
Hanggongdaehak-ro 76, 10540, Deogyong-gu, South Korea

Claimant and counterdefendants 1–2 represented by:

Attorneys at Law Dr. Tobias J. Hessel, Lea Prehn, Dr. Lisa Philipps and Yang Cao, Clifford Chance
Partnerschaft mbB

Assisted by patent attorneys of the law firm Molnia Ho PartG mbB

DEFENDANTS (2051/2025) AND COUNTERCLAIMANTS (1653/2026)

1. **Meta Platforms, Inc.**, Meta Way, Menlo Park, California 94025, USA
2. **Meta Platforms Technologies, LLC.**, 1 Meta Way, Menlo Park, California 94025, USA
3. **Meta Platforms Technologies Ireland Limited**, Merrion Road, Dublin 4 D04 X2K5, Ireland
4. **Meta Platforms Ireland Limited**, Merrion Road, Dublin 4 D04 X2K5, Ireland

5. **Facebook Germany GmbH**, Schopenstehl 13, Haus am Domplatz, 20095 Hamburg, Germany
6. **Facebook France Sarl**, 6 rue Ménars, 75002 Paris, France
7. **Facebook Netherlands B.V.**, Jollemanhof 15 Parkhuis Amst, 1019 GW, Amsterdam, the Netherlands
8. **Facebook Italy S.R.L.**, Piazza Missori Giuseppe 2, 20122 Milan, Italy
9. **Facebook Denmark ApS**, Ny Carlsberg Vej 80, 1799 København V, Denmark

Defendants and counterclaimants 1–9 represented by:

Dr. Steffen Steininger, M.Jur., and Katharina Bickel, Hogan Lovells International LLP, Karl-Scharnagl-Ring 5, 80539 München, Deutschland

Oliver Bäcker, Hogan Lovells International LLP, Dreischeibenhause 1, 40211 Düsseldorf, Deutschland

Defendants 1–9 further represented by Dr. Alexander Klicznik, Dipl.-Phys. and Felix Hütt, Hogan Lovells International LLP, Dreischeibenhause 1, 40211 Düsseldorf, Deutschland

PATENT AT ISSUE

European patent no EP 3 258 692 B1

PANEL/DIVISION

Panel of the Local Division Düsseldorf

DECIDING JUDGES

Ronny Thomas, presiding judge, Jule Schumacher, legally qualified judge, Daniel Severinsson, legally qualified judge and judge-rapporteur, and Steven Kitchen, technically qualified judge

LANGUAGE OF THE PROCEEDINGS

English

SUBJECT OF THE PROCEEDINGS

Patent infringement action and counterclaim for revocation – withdrawal R. 265 RoP

BACKGROUND AND REQUESTS

Electronics and Telecommunications Research Institute (“ETRI”) filed an infringement action against defendants 1–9 (jointly “Meta”) on 19 December 2025. Meta filed a counterclaim for

revocation on 12 May 2026. By order of 8 July 2026 the Court stayed proceedings in accordance with the parties' joint request, since they had reached an amicable solution which required implementation.

The parties' have now withdrawn their respective actions due to the out of court settlement, and requested reimbursement of court fees. ETRI requests a 60% reimbursement according to the wording of R. 370.9(b)(i) RoP before 1 January 2026 since the infringement action was filed in 2025. Meta request a 50% reimbursement according to the current wording of R. 370.9(b) RoP. The parties do not request reimbursement for costs and consent to the respective withdrawals.

GROUND FOR THE ORDER

The proceedings should be resumed for the purpose of closing the proceedings.

The parties have withdrawn their respective actions and consented to the respective withdrawals. The withdrawals should therefore be permitted and the proceedings closed (R. 265.2(a) RoP). The decision should be entered in the register (R. 265.2(b) RoP). A cost decision is not required since the parties have explicitly not requested reimbursement for costs (see UPC_CoA_840/2024, order of 24 January 2025, DexCom v Abbott, para. 11).

The value of the respective actions should be set to EUR 1.000.000.

The parties withdrew their actions before the closure of the written procedure and are entitled to a 50% reimbursement of the court fees according to R. 370.9(b) and 370.11 RoP. Even if ETRI filed the infringement action in 2025, the withdrawal with the application for reimbursement was filed after 1 January 2026 which means that the current wording of the RoP is to be applied (see UPC_CoA_895/2025 and 896/2025, decision of 6 March 2026, Black Sheep v HL Display, para. 17).

ORDER

The Court

I. resumes the proceedings.

II. permits the withdrawals of the infringement action and the counterclaim for revocation and declares the proceedings closed.

III. orders that this decision be entered in the register.

IV. declares that there is no need for a cost decision.

V. sets the value in dispute for the infringement action and for the counterclaim for revocation to EUR 1.000.000 respectively.

VI. orders that 50% of the court fees for the infringement action be reimbursed to ETRI.

VII. orders that 50% of the court fees for the counterclaim for revocation be reimbursed to Meta.

Issued on 21 September 2026

Ronny Thomas Presiding judge	
Jule Schumacher Legally qualified judge	
Daniel Severinsson Legally qualified judge and judge- rapporteur	
Steven Kitchen Technically qualified judge	
For the sub-registrar	