

COMPOSITION OF THE PANEL

Presiding judge	Sabine Klepsch
Judge-rapporteur	Dr. Stefan Schilling
Legally qualified judge	Carine Gillet

DECIDING JUDGES

Panel of the Local Division Hamburg

SHORT SUMMARY OF FACTS

1. With order dated 15 January 2026, the Court granted the withdrawal of the infringement action. Subsequently the Claimant requested to reimburse 60 % of the court fees pursuant to Rule 370.9 (b) RoP to the Claimant. The Defendant was given the possibility to comment.

FOUNDATIONS FOR THE ORDER

2. The order of reimbursement of 60% of the court fees is based on R. 370.9 RoP (2025) in conjunction with R. 370.9 lit. (b) (i) RoP (2025), since the action is terminated before the closure of the written procedure.
3. Art. 5 of the Administrative Committee's decision of 4 November 2025, established that a transitional provision applies to proceedings initiated before 31 December 2025. According to this provision the Table of Court Fees, Rules of Procedure of the Unified Patent Court and Guidelines for the determination of the court fees and the ceiling of recoverable costs, as revised by this decision, apply to all actions and applications filed after 31 December 2025. As the infringement action was filed on 6 October 2025, the RoP in the 2025 version apply.

ORDER

The Registrar is ordered to reimburse the Claimant as soon as possible 60% of the court fees it has paid for the infringement action.

INSTRUCTIONS TO THE SUB-REGISTRY

The case can be closed in the CMS in its entirety after the reimbursement of the court fees (6.600 EUR).

ISSUED IN HAMBURG, 24 MARCH 2026

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Presiding judge Klepsch

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For the sub-registry