



Milan Local Division

**UPC CFI no. 1902/2025
order
issued on 10.7.2026**

CLAIMANT

CARDO SYSTEMS, LTD.

13 Zarhin Street 4366241 Ra'anana / IL

represented by

Tjibbe Douma and Giovanni Galimberti, respectively at *Bird & Bird (Netherlands) LLP*, Gustav Mahlerlaan 42, 1082 MC Amsterdam, The Netherlands, and *Bird & Bird Società tra Avvocati s.r.l.*, via Porlezza n. 12, 20123 - Milan, Italy;

Markus Herzog and Manuel Millahn, at *Weickmann & Weickmann*, Richard-Strauss-Straße 80, 81679 - München, Germany

DEFENDANTS

1) SHENZHEN ZIWU CHUANGXIN TECHNOLOGY CO., LTD.

Room 225, 2nd Floor, Phase II, Xinghe Lingchuang Tianxia, Nankeng Community, Bantian Street, Longgang District, 518129 – Shenzhen, China

represented by Luca Trevisan, Giulia Affer and Lorenzo Battarino, at *Trevisan & Cuonzo*, via Brera 6, 20121 - Milan, Italy

2) RESOSPORT LIMITED

Office 5, 8/F, Mega Cube, 8 Wang Kwong Road, Kowloon Bay, Kowloon, 000000 – Hong Kong - Hong Kong, China

DECIDING JUDGE

presiding judge and judge rapporteur Pierluigi Perrotti

LANGUAGE OF THE PROCEEDINGS

English

SUBJECT

Order R. 9 RoP - alignment of deadlines

SUMMARY OF FACTS

On 8 December 2025, Cardo lodged an infringement action before the Milan Local Division against Ziwu and Resosport.

Service was duly effected on Ziwu on 23 April 2026. Ziwu has already appeared before the Court and is due to file its statement of defence and any counterclaim for revocation by 23 July 2026, within the three-month period laid down in R. 23 RoP.

Service on Resosport in Hong Kong has not yet been completed.

On 30 June 2026, Ziwu applied for alignment of the effective service dates and, consequently, of the deadline for filing the statement of defence under R. 23 RoP. Once that date was set, Resosport would voluntarily accept service of the statement of claim.

Cardo opposed the request. In its response filed on 3 July 2026, the claimant noted that Ziwu's current representatives had already been appointed by both defendants in the parallel PI proceedings pending before the Milan Local Division. They had refused to accept service in the proceedings on the merits, despite their appointment in the provisional measures proceedings. According to the claimant, the defendants' request sought an excessive extension of the deadline under R. 23 RoP.

By order of 3 July 2026, the parties were invited to seek an amicable solution to this procedural issue. Their negotiations were unsuccessful.

GROUND FOR THE ORDER

The Court has no power to require / impose a representative to accept service on behalf of a party.

R. 271.1(c) is clear: "*The Registry shall serve the Statement of claim by electronic means if the conditions referred to in Article 19 of Regulation (EU) 2020/1784 are met [...]*"

(c) on a representative of the defendant pursuant to Rule 8.1, if the representative has notified the Registry or the claimant that he accepts service of the statement of claim on behalf of the defendant at an electronic address".

Any link with parallel UPC proceedings cannot affect that limitation.

Accordingly, the start of the written procedure against Resosport depends on the outcome of the ongoing service process in Hong Kong, with the related uncertainties as to timing and effectiveness. This would also create an undesirable and inefficient misalignment of the defendants' deadlines.

Ziwu's application offers a way to avoid and overcome these issues.

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.

Since the parties have not agreed on a specific date, 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 both defendants by setting 10 June 2026 as a notional common starting date, subject to Resosport's immediate acceptance of service. This will extend Ziwu's deadline by approximately 50 days and shorten Resosport's deadline by reference to a future starting date that is still completely uncertain.

ORDER

It is ordered that, for all defendants, the period for filing the statement of defence and counterclaim for revocation shall run from 10 June 2026, subject to Resosport's immediate acceptance of service.

Accordingly, the statements of defence and any counterclaims for revocation shall be filed by 10 September 2026.

Milan, 10 July 2026.

Pierluigi Perrotti
presiding judge and judge rapporteur