

**UPC CFI, Local Division Munich, 23 April 2025,
Maxell v Samsung**



PATENT LAW – PROCEDURAL LAW

Uniform setting of service date Statement of claim and deadline for Statement of defence following agreement between the parties ([R. 9.3 RoP](#), [R. 23 RoP](#))

Source: [Unified Patent Court](#)

**UPC Court of First Instance,
Local Division Munich, 23 April 2025**
(Zigann)

Local Division Munich
UPC_CFI_196/2025

Procedural Order

Of the Court of First Instance of the Unified Patent Court
Local Division Munich
issued on 23 April 2025

CLAIMANT

Maxell, Ltd.

1 Koizumi - 618-8525 - Oyamazaki, Oyamazaki-cho,
Otokuni-gun, Kyoto - JP
represented by: Benjamin Beck (Mayer Brown LLP)

DEFENDANTS (APPLICANTS)

1) Samsung Electronics Co., Ltd.

129 Samsung-Ro - 16677 - Maetan-3dong, Yeongtong-
gu, Suwon-si, Gyeonggi-do - KR

2) Samsung Electronics GmbH

Frankfurter Straße 2 - 65760 - Eschborn - DE

3) Samsung Electronics France, S.A.S.

6 rue Fructidor - 93484 - Saint-Ouen - FR

4) Samsung Electronics Benelux B.V.

Evert van de Beekstraat 310 - 1118 CX - Schiphol – NL

5) Samsung Electronics Italia SpA.

Via Mike Bongiorno 9 - 20124 - Milan - IT
represented by: Christian Lederer (Taylor Wessing
PartGmbH)

PATENT AT ISSUE

European patent n° 2 403 266

PANEL/DIVISION

Panel 1 of the Local Division Munich

DECIDING JUDGE/S

This order has been issued by the Presiding Judge Dr.
Matthias Zigann acting as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS

English

SUBJECT-MATTER OF THE PROCEEDINGS

Generic procedural application (R9) - App_19188/2025
UPC_CFI_196/2025

REQUEST

Samsung requests:

to set the deadline for the Statement of Defence until and including 5 August 2025 for all Defendants uniformly. Samsung argues: Claimant's Statement of Claim in particular has not yet been served to Defendant 1 in Korea. It is to be assumed that service to Korea will still take some weeks. In addition, the further Defendants were served at different dates. It is therefore appropriate to harmonize the deadline regime Undersigned has been informed by the Defendants represented in this Request that remaining Defendants, in particular Defendant 1, will agree to the herewith requested deadline regime and to be represented by Undersigned. Claimant and Defendants have already agreed to a virtual service date for all Defendants on 5 May 2025 which is herewith assured. This agreed virtual service date results in a deadline for the Statement of Defence of 5 August 2025 for all Defendants.

GROUND FOR THE ORDER

Following the agreement between the parties a uniform service date is set to 5 May 2025. The deadline for filing a Statement of Defence is set to 5 August 2025 for all Defendants uniformly.

ORDER

The request is granted.

INSTRUCTIONS TO THE REGISTRY

As service date for all defendants 5 May 2025 is to be entered into the CMS.

UPC representative for defendants is to be provided with all missing access codes.

Dr. Zigann

Presiding Judge

DETAILS OF THE ORDER

Order no. ORD_19329/2025 in ACTION NUMBER:
ACT_10550/2025

UPC number: UPC_CFI_196/2025

Action type: Infringement Action

Related proceeding no. Application No.: 19188/2025

Application Type: Generic procedural Application
