



Order

**of the Court of First Instance of the Unified Patent Court
issued on 6 February 2026**

Respondents:

1. Amazon.com, Inc., 410 Terry Avenue North Seattle, Washington, 98109, USA, represented by the CEO, represented for service by its agent Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808, USA
2. Amazon Digital UK Limited, 1 Principal Place, Worship Street, London, EC2A 2FA, UK, represented by the CEO,
3. Amazon Europe Core S.à.r.l. (Société à responsabilité limitée), 38 Avenue John F. Kennedy, L-1855 Luxemburg, represented by the CEO,
4. Amazon EU S.à.r.l. (Société à responsabilité limitée), 38 Avenue John F. Kennedy, L1855 Luxemburg, represented by the CEO
5. Amazon Technologies, Inc., 410 Terry Avenue North Seattle, Washington 98109, USA, represented by the CEO, represented for service by its agent CSC – Lawyers Incorporating Service, 2710 Gateway Oaks Drive, Sacramento, CA 95833, USA,

All Respondents represented by Klaus Haft of HOYNG ROKH MONEGIER, Munich
Address for Service on the Respondents: klaus.haft@hoyngrokh.com

Applicants (of preliminary measures):

1. InterDigital VC Holdings, Inc., 200 Bellevue Parkway, Suite 300,
Wilmington, Delaware 19809, USA, represented by the CEO,
2. InterDigital Patent Holdings, Inc., 200 Bellevue Parkway, Suite 300,
Wilmington, Delaware 19809, USA, represented by the CEO,
3. InterDigital Madison Patent Holdings, SAS, 20 rue Rouget de Lisle, 92130
Issy-les-Moulineaux, France, represented by Richard J. Brezski,
4. Interdigital CE Patent Holdings SAS, 20 rue Rouget de Lisle, 92130 Issy-les-
Moulineaux, France, represented by Richard J. Brezski,

all Applicants represented by Cordula Schumacher of ARNOLD RUESS
Rechtsanwälte, Düsseldorf

Address for Service on the Applicants: IDG-AMZ@arnold-ruess.com

EUROPEAN PATENTS AT ISSUE:

cf. Exhibit AR10, esp. EP2548372 (UPC_CFI_1481/2025), EP3240285 (UPC_CFI_1482/2025)

PANEL/DIVISION:

Panel of the Local Division Mannheim of the Court of First Instance of the Unified Patent Court

DECIDING JUDGES:

This order is issued by the Presiding Judge and Judge Rapporteur Tochtermann, the legally qualified judge Sender, as substitute under the substitution scheme according to the decision of

the President of the CFI of 18 March 2025 for legally qualified judge Böttcher being absent due to leave, and the legally qualified judge Kupecz.

LANGUAGE OF THE PROCEEDINGS:

English

SUBJECT:

Art 82(4)U UPCA, R. 354.4 RoP

STATEMENT OF FACTS AND GROUNDS FOR THE ORDER

Respondents are bound by an Order of 30 September 2025 of the Panel, which was confirmed by the Panel upon Review by the Order of 22 December 2025. An application for suspensive effect before the Court of Appeal (UPC_CoA_936/2025) was rejected by the President of the Court of Appeal as Standing Judge. An appeal is pending.

The Panel's Order – as confirmed upon Review – reads in para.19:

[...]

“The impugned Order of the UPC, therefore, was a purely defensive mechanism, which was not intended to prevent Respondents from conducting the main UK FRAND-rate-setting.”

[...]

The Order further reads in para. 38:

“For reason of clarity, it is emphasized, that the Order of 30 September 2025, which is not extended in its scope by this order, but only confirmed in the scope as it was, relates to any measure equivalent to an ASI irrespective of its denomination and irrespective of it being described as an „interim“ or a „final“ relief. It encompasses all measures by a court or a *de facto*-effect prevent the Appellants from pursuing their Patent rights before the UPC and from seeking access to justice before the UPC as a court common to the member states and a court bound by EU law (Art. 1 and 20 UPCA). Accordingly, it encompasses also to the „Final relief“ as defined in Annex A of the UK High Court's order, in case the Final relief, as soon as it has been granted, prevents the Appellants' right to argue their case and seek to enforce their Patent rights before the UPC.”

Para. 39 of said Order further reads:

[...]

“In consequence, it has to remain open for the time being whether the UK Order of 20 October 2025 as continued and modified, violates this court’s Order of 30 September 2025 and warrants severe consequences. As such danger is imminent the Order had to be upheld. This Order, however, is not limiting the UK courts to attach whatever legal consequences to such order, judgment or other decision as long as such effects are strictly limited to the UK territory and do not attach any negative consequences whatsoever to the Applicants for enforcing their patent rights in relation to the UPCA contracting member states. The same holds true for any other foreign court as long as its order, judgement or other decision does not interfere with access to the UPC.”

Para. 71 reads:

“Respondents, still, remain free to pursue the Final relief as described in Annex A of the UK High Court’s order, be it in an expedited procedure or not, given that, unlike an interim licence, the final relief will be based on in depth-scrutiny of what is (F)RAND. However, this only applies but only insofar as the effects of the Final relief are limited to the territory of the UK in the sense that no negative consequences whatsoever arise for Applicants, if they choose not to accept the outcome and enforce their European patents in relation to UPCA contracting member states and argue that the outcome is not binding upon them with regard to the territories of the UPCA contracting member states.”

Para. 80 of said order reads:

“That this is not an abstract risk, but an imminent one, is supported by the scope of the UK High Court order itself, which was issued after the present Order was issued upon application of Respondents, who therefore may be in breach of this court’s Order already depending on the future effects of their application.”

Before this background, having due regard to Art. 82.4 UPCA

If a party does not comply with the terms of an order of the Court, that party may be sanctioned with a recurring penalty payment payable to the Court. The individual penalty shall be proportionate to the importance of the order to be enforced and shall be without prejudice to the party's right to claim damages or security.

and R.354.4 RoP

If it is alleged that a party has failed to comply with the terms of the order of the Court, the first instance panel of the division in question may decide on penalty payments provided

for in the order upon the request of the other party or of its own motion. The procedure foreseen in Rule 264 shall apply. After having heard both parties the Court may make an appropriate order which may be subject to an appeal pursuant to Rule 220.2.

both parties – after the Court became aware of a hearing on 4 February 2026 before the UK High Court in the parallel case HP-2025-000043 through publicly available media reports – **are ordered** to report on the current developments in these proceedings and produce a transcript of said hearing as detailed in the Operative part of this Order.

The Order of the UPC clarified, that the UK High Court is not barred from continuing its Final rate setting proceedings with the restrictions as detailed in the Order as cited e.g. in paras. 19, 39, 71 above.

Therefore, it requires explanation, why and upon which initiative the Judge in charge of the UK proceedings – as reported by public media – apparently still suggests withdrawal of proceedings before the UPC, so as to protect the UK Final rate setting proceedings.

After production of said documents and receipt of clarifying briefs the parties may be invited to further comment, if appropriate in an oral hearing, during which, if deemed necessary, witnesses may be heard and sworn in. No penalties will be set without having heard the parties again.

ORDER

Both parties are **ordered** to report – **until 10 February 2026 at the latest** – on the hearing before the UK High Court Case Number HP-2025-000043 of 4 February 2026 and any connected consecutive procedural developments in these UK proceedings and clarify, upon which initiative from which side that hearing took place and upon which initiative withdrawal of requests before the UPC was discussed or ordered, as the case may be. The parties are furthermore ordered to produce a transcript of the hearing until the date mentioned above.

Issued in Mannheim on 6 February 2026

NAMES AND SIGNATURES

Tochtermann

Presiding judge and judge-rapporteur

Sender

Legally qualified judge

Kupecz

Legally qualified judge