

Order
of the Court of First Instance of the Unified Patent Court
issued on 13 May 2026

Settlement Proposal

CLAIMANT/APPLICANT:

Samsung Electronics Co., Ltd

- 129 Samsung-Ro, Yeongtong-Gu - 16677 - Suwon City,
Gyeonggi-

represented by Thomas Musmann

DEFENDANTS:

- 1) **ZTE Deutschland GmbH** represented by Thomas Lynker
- Fritz-Vomfelde-Straße 26-30 - 40547 -
Düsseldorf - DE
- 2) **ZTE France SASU** represented by Thomas Lynker
- 27-33 Quai Alphonse Le Gallo - 92100 -
Boulogne-Billancourt - FR
- 3) **ZTE Netherlands B.V.** represented by Thomas Lynker
- Maanplein 20, TP8 - 2516CK - Den Haag - NL

PATENT AT ISSUE:

European patent EP 4 050 804

PANEL/DIVISION:

Panel of the Local Division in Mannheim

DECIDING JUDGES:

This order was issued by the Presiding judge Tochtermann, the legally qualified judge Böttcher acting as judge-rapporteur, the legally qualified judge Gillet and the technically qualified judge Loibner.

LANGUAGE OF THE PROCEEDINGS: English

SUBJECT OF THE PROCEEDINGS: infringement action – here Settlement proposal

HAVING REGARD TO

- ART. 35 UPCA, RULE 11.1 RoP AND ARTICLE 5(1) PMAC MEDIATION RULES AFTER THE PROCEDURAL REGULATORY FRAMEWORK OF THE PMAC WAS ADOPTED BY THE ADMINISTRATIVE COMMITTEE OF THE UPCA MEMBER STATES AND THE PMAC OFFERING ADR INFORMATION SESSIONS AND MEDIATION PROCEEDINGS TO LITIGANTS AND DISPUTANTS FROM 12 MAY 2026
- THE CASE UPC_CFI_850/2024 HAVING BEEN DECIDED BY THE LOCAL DIVISION MANNHEIM ON 29 APRIL 2026
- THE CASE UPC_CFI_188/2025 HAVING BEEN STAYED BY ORDER OF 16 MARCH 2026 WITH THE CONSENT OF THE PARTIES UNTIL THE FINAL CONCLUSION OF THE OPPOSITION PROCEEDINGS PENDING BEFORE THE EPO
- THE CASES UPC_CFI_847/2024 AND 189/2025 BEING RIPE FOR A FURTHER ORAL HEARING

AND TAKING INTO ACCOUNT AND NOTICE OF

- THE REDACTED JUDGMENT OF THE UK HIGH COURT [2026] EWHC 999 (PAT) IN RE SAMSUNG VS ZTE OF 1 MAY 2026 ARRIVING AT A FRAND LUMP SUM BALANCING PAYMENT FOR THE COURT-DETERMINED LICENCE AS A RENEWAL OF THE PARTIES' 2021 PLA OF \$392M
- PUBLIC MEDIA REPORTS UPON THE CHONGQING INTERMEDIA PEOPLE'S COURT (IPC) HOLDING THAT ZTE'S \$731M OFFER FOR A SIX-YEAR TERM (JANUARY 1, 2024 TO DECEMBER 31, 2029) WAS FRAND
- THE JUDGEMENT OF THE LANDGERICHT FRANKFURT AM MAIN OF 25 FEBRUARY 2026, DOCKET FILE NO 2-06 O 426/24 IN ITS UNREDACTED VERSION (EXHIBIT D-FRAND 46 IN CASE UPC_CFI_850/2024)
- PUBLIC MEDIA REPORTS OF 6 MAY 2026 UPON A DECISION OF THE MUNICH I REGIONAL COURT OF 30 APRIL 2026 MADE AVAILABLE TO THE MEDIA SOURCE SUGGESTING A LUMP SUM PAYMENT OF \$ 640M

AND BEFORE THE BACKGROUND OF

- THE ORAL HEARING IN CASE UPC_CFI_850/2024 OF 18 MARCH 2026 BEFORE THE LOCAL DIVISION MANNHEIM IN OPEN COURT AS WELL AS IN A CONFIDENTIAL PART OF THE HEARING WITH THE PRIVATE EXPERTS OF THE PARTIES BEING PRESENT BASED ON THE COMPARABLE LICENCES EXCHANGED AND DISCLOSED

IN THAT PROCEEDING AND THE RESPECTIVE ARGUMENTS OF THE PARTIES PRESENTED TO SUPPORT THEIR RESPECTIVE LICENCE OFFERS IN THEIR BRIEFS AND THE HEARING AND

- THE IN-DEPTH EXCHANGE BETWEEN THE PARTIES AND THE PANEL UPON ALL **FRAND** ASPECTS OF THE CASE IN AN ATTEMPT TO SUPPORT THE PARTIES IN FINDING AN AMICABLE SOLUTION EVEN IN THE LIGHT OF THE INADMISSIBLE **FRAND-COUNTERCLAIM** FILED IN **CASE UPC_CFI_850/2024** BEFORE THE PANEL
- THE ALREADY PUBLICLY AVAILABLE COMMERCIAL DATA OF THE NEGOTIATIONS BETWEEN THE PARTIES

AND WITHOUT PREJUDICE TO THE POSSIBLE OUTCOME OF ANY OF THE CASES STILL PENDING BEFORE THE LOCAL DIVISION MANNHEIM

THE COURT, IN AN ATTEMPT TO HELP THE PARTIES ARRIVE AT AN AMICABLE SOLUTION OF THEIR CONFLICT WITHOUT FURTHER NEED FOR LITIGATION IN THE CASES STILL PENDING WITH THE **UPC** AND IN OTHER FORA AS THE CASE MAY BE, SUGGESTS THE PARTIES TO

AGREE TO SETTLE ALL GLOBAL LITIGATION BETWEEN THEM ON THE BASIS OF EITHER A

CROSS LICENCE UNDER THE TERMS AS ENVISAGED IN **EXHIBIT D-FRAND 20 UPC_CFI_850/2024** AND A **FRAND** LUMP SUM BALANCING PAYMENT OF **SAMSUNG** TO **ZTE** OF **\$640M** FOR A LICENCE TERM TERMINATING ON **31 DECEMBER 2028**

OR A

CROSS LICENCE UNDER THE TERMS AS ENVISAGED IN **EXHIBIT C-FRAND 27 UPC_CFI_850/2024** AND A **FRAND** LUMP SUM BALANCING PAYMENT OF **SAMSUNG** TO **ZTE** OF **\$730M** FOR A LICENCE TERM TERMINATING ON **31 DECEMBER 2029**.

PROPOSAL FOR MEDIATION BEFORE THE PMAC

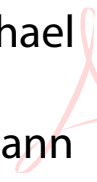
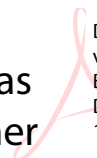
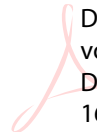
IN CASE THE PARTIES, EVEN IN THE LIGHT THE ABOVE-MENTIONED DECISIONS RENDERED BY COURTS FORM VARIOUS JURISDICTIONS STILL CANNOT AGREE WITHOUT THE HELP OF A THIRD-PARTY NEUTRAL, THE PANEL SUGGESTS THAT THE CASES **UPC_CFI_847/2024** AND **UPC_CFI_189/2025** ARE STAYED PURSUANT TO **RULE 295(D) RoP** UPON MUTUAL REQUEST OF THE PARTIES FOR A **MEDIATION** BEING CONDUCTED UNDER THE AUSPICES OF THE **PMAC** OF THE **UPC**, A RESULT OF WHICH THE PANEL COULD THEN CONFIRM PURSUANT TO **RULES 11.2, 365 RoP** WITH THE BENEFITS FORESEEN BY **RULE 370.9(c) RoP**, AS FAR AS BEING APPLICABLE IN THE RESPECTIVE CASE.

ORDER

The parties are ordered to comment upon the court's settlement proposal and the proposal to mediate before the PMAC until **31 May 2026** at the latest.

Issued in Mannheim on 13 May 2026

NAMES AND SIGNATURES

Presiding judge Tochtermann	Peter Michael Dr. Tochtermann  Digital unterschrieben von Peter Michael Dr. Tochtermann Datum: 2026.05.08 16:05:03 +02'00'
Legally qualified judge Böttcher	Dirk Andreas Böttcher  Digital unterschrieben von Dirk Andreas Böttcher Datum: 2026.05.08 19:42:03 +02'00'
Legally qualified judge Gillet	<i>Carine Gillet</i>  2026.05.09 08:55:08 +02'00'
Technically qualified judge Loibner	Klaus Loibner  Digital unterschrieben von Klaus Loibner Datum: 2026.05.08 16:16:51 +02'00'