

FIGURE 1 · UNIFIED PATENT COURT

Awarded costs as a share of the ceiling that applied



Euro. Every cost decision that states the amount awarded (25 of 32; seven redact it). Brussels LD as corrected by ORD_35065/2025.

Solid bars: the Court states the ceiling for what the award covers. Pale bars with a letter: the ceiling is implied, on the basis given below.

Ceilings before apportionment for partial success. The two Paris CD decisions in Microsoft v Suinno are known from the Court of Appeal orders refusing leave.

Bars past the ceiling are lawful: the ceiling caps representation costs only, so court fees, experts, translators and, in some divisions, travel sit on top.

(a) Munich LD, 10 Jan 2025: 200,000 for the PI (value 1.5m, set in the PI order) + 38,000 for the appeal (stated in the decision).

(b) Munich LD, 24 Feb 2025: 600,000 for each of the PI and the PI appeal, value 7m set by the Court of Appeal and assumed for both instances.

(c) Lisbon LD, 4 Apr 2025: 112,000 for the PI value of 1m; the decision refers to 'the applicable ceiling' without stating it.

(d) Düsseldorf LD, 14 Apr 2025: 112,000 for action and counterclaim valued at 500,000 each; superseded on 10 Apr 2026 after the appeal.

(e) Düsseldorf LD, 22 Apr 2025: 200,000 stated for action and counterclaim together; the award covers the defendants' share of the action only.

(f) Düsseldorf LD, 13 May 2025: 56,000 each for action and counterclaim (500,000 each), cut to the claimant's shares (47,600 + 28,000) and awarded in full.

(g) Milan CD, 15 Oct 2025: the two ceilings stated for revocation (600,000) and counterclaim (400,000), added; the award includes a 200,000 interim award.

(h) Munich LD, 17 Oct 2025 (Edwards v Meril): 800,000 as stated by the applicant; the Court refers to 'the cap' without a figure.

(i) Düsseldorf LD, 2 Feb 2026: 200,000 for the PI (value 2m) + 400,000 for the merits (value 3m); the defendant, 30% successful, claimed 30% of each.

(j) Düsseldorf LD, 9 Apr 2026: appeal; 112,000 for the values of 500,000 each set at first instance; the decision says only that the fees are within the ceiling.

(k) Düsseldorf LD, 10 Apr 2026: 112,000 at first instance (stated in the merits decision) + 112,000 on appeal (the same value assumed).

(n) Decision CD, 10 Apr 2026: 12,000 at first instance (stated in the merits decision); 12,000 on appeal, the same value assumed.

(l) Milan CD, 12 Jun 2026: 38,000 per instance as stated, for the two instances the award covers.

(m) Milan CD, 10 Jul 2026 (Gilead): 1,200,000 for the value of 20m set in the decision on the merits.

Source: Decision of the Administrative Committee of 24 April 2023 on the scale of recoverable cost ceilings; UPC decisions register, to 6 October 2026.