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A FINAL VICTORY FOR SISVEL BEFORE THE GERMAN FEDERAL SUPREME COURT (BGH) IN THE SISVEL VS HAIER CASE

Luxembourg, May 6, 2020 – Yesterday the German Federal Supreme Court heard the arguments in the case between Sisvel and Haier regarding Sisvel’s request for injunctive relief for infringement of cellular standard essential patents (SEPs) owned by Sisvel. The decision rendered on May 5, marks the final decision on the infringement of Sisvel’s European patent EP 0 852 885 (“EP 885”), and the related FRAND defense after a 6 year long legal dispute.

Prior to this verdict, on March 10, 2020 the BGH had already given final confirmation that Sisvel’s EP 885 should be considered valid. The nullity actions had been filed by Haier and ZTE. On April 28, 2020 there was a subsequent decision by the BGH confirming the validity of Sisvel’s European patent EP 1 264 504, where Haier and ZTE were likewise the plaintiffs. Last but not least, yesterday the BGH ruled that in the infringement proceedings of EP 885 the decision of the Appeal Court in Düsseldorf from March 2017 is reversed in relation to the finding on costs and insofar as the decision has found to the detriment of the plaintiff, i.e. Sisvel.

“Sisvel welcomes the results we have obtained in the recent weeks before the highest court for patent matters in Germany. Whilst we still see a too much hold-out and “efficient infringement” strategies being used, we have every confidence that Haier and implementers alike will take notice of this landmark decision.” said Florian Cordes, who managed the litigation for Sisvel, “We also trust that the decision of the BGH will provide certain instructions to the market and courts how implementers of SEPs should behave, which may prevent future disputes.”

The patents asserted against Haier are part of Sisvel’s bilateral “Wireless” program and are available under license with its “Mobile Communication Program” (MCP) as well. The Sisvel MCP is a licensing platform that licenses cellular (2G, 3G, 4G) standard essential patents, which are owned by a variety of companies, including Airbus DS, KPN, Mitsubishi Electric, Orange, Sisvel and 3G Licensing.

For additional information about the program, please visit the dedicated section of our website:
<https://www.sisvel.com/licensing-programs/wireless-communications/mcp/introduction>

About Sisvel

Sisvel is a world leader in fostering innovation and managing intellectual property. The Group identifies, evaluates and maximizes the value of IP assets for its partners around the world, providing firms with a revenue stream which can be reinvested in innovation for the generation of future revenues. Founded in 1982, the Group is headquartered in Luxembourg and has subsidiaries in China, Germany, Italy, Japan, Spain, the United States and the United Kingdom. The Group has a long history of managing successful patent portfolios including those related to the audio compression standards known as MP3 and MPEG Audio, as well as broadcasting and receiving of digital terrestrial television standards maintained by the DVB Project. Sisvel currently operates patent pools and joint licensing programs in the fields of mobile communication; wireless local area networking 802.11; digital video broadcasting; recommendation engine and broadband access to data networks.

For additional information, please visit: www.sisvel.com.

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