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Verdicts Against Huawei and ZTE Enforced in Germany


Against Huawei the case 4a O 17/17 (EP 1 773 067/Appeal case no. I-15 U 73/18) has been enforced.

Against ZTE the case 4b O 5/17 (EP 1 750 451/Appeal case no. I-2 U 76/18) has been enforced.

In both cases the Court of Appeals (“Oberlandesgericht Dusseldorf”) has dismissed Huawei’s and ZTE’s requests for an immediate stay of the enforcement while the cases are under appeal.

As a result, Huawei and ZTE must cease and desist from offering in Germany AVC/H.264 compliant devices such as smartphones and tablets that use the enforced patents. In addition, all such products in their possession or the possession of third parties must be recalled and destroyed.
“Although the failure to be licensed has made these enforcements necessary, taking a license under the AVC patents would easily remedy it, and we continue to welcome Huawei and ZTE to do so,” said Larry Horn, President and CEO of MPEG LA.

Validity cases related to the patents in suit are pending before the Federal Patent Court in Munich, Germany (“Bundespatentgericht”).

A team led by Axel Verhauwen of Krieger Mes & Graf v. der Groeben and Gottfried Schüll of Cohausz & Florack represented the plaintiffs.

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MPEG LA, LLC

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