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### Warm-up

Hoyng ROKH Monegier's great love affair with Amazon. It's official. HRM's litigation star Klaus Haft is defending the US concern in the infringement case recently filed by InterDigital. Amazon had retained Haft for the AILI case. In yesterday's AILI hearing, UPC presiding judge Peter Tochtermann delivered the good news to Haft in the form of a thick bundle of new pleadings. Haft accepted. Judge Tochtermann noted the unconventional delivery in the courtroom. This makes HRM Amazon's current lead counsel in Europe. Hogan Lovells remains the representative in the UK proceedings.

### The Race

#### **Law firms compete in price war for UPC work**

Two key factors are shaping the race for UPC cases this year: proven track record of success and competitive pricing. Law firms are carefully calibrating their fee structures to remain attractive to both clients and staff.

Many law firms are now pursuing UPC work with highly competitive prices. This is according to lawyers from firms of all sizes and tiers in

the new JUVE Patent UPC ranking. But what constitutes a competitive rate in this context?

***Fee structures are being optimized to attract both clients and internal talent.***

**Cost breakdown of UPC proceedings.** When calculating the cost of proceedings through to first-instance judgment, including counterclaims for revocation, there is a clear distinction between SEP and non-SEP cases. The work involved in FRAND aspects depends less on whether it is a UPC or national procedure, and more on the client's specific requirements. However, this additional effort significantly impacts overall costs.

Some firms are entering the market with fees of €300,000 for first-instance judgments including revocation claims in non-SEP proceedings. According to JUVE Patent research, patent practices of different sizes and structures view this figure as both profitable and reasonable.

Some firms consider €300,000 to be aggressively low. However, JUVE Patent research suggests this figure represents an entry-level price point. Even firms typically commanding higher fees acknowledge this rate could work for technically straightforward cases with minimal additional proceedings. These firms generally prefer budgets exceeding €400,000, ideally between €500,000 and €800,000.

***€300,000 is widely seen as an entry-level price for straightforward UPC cases.***

**Pre-agreed budgets are state of the art.** While there is no theoretical upper limit, JUVE Patent research shows most firms operate with pre-agreed budgets. Medium-sized clients and occasional litigants particularly favour fixed-fee arrangements. The notion that some clients will pay any price to achieve their goals is unfounded.

Most companies using UPC proceedings as part of their global litigation strategy recognise they can secure faster, more cost-effective judgments at the UPC compared to US proceedings. This partly explains why US teams struggle to coordinate UPC proceedings — clients are reluctant to pay the high hourly rates.

Firms must either stick to their budgets, which research indicates they usually do, or justify additional costs to their clients.

***Clients are cost-sensitive and compare UPC favourably to expensive US proceedings.***

**What drives the wide range in budgets?** JUVE Patent research identifies communication as a primary cost driver. This is unsurprising, as coordination has long been crucial for patent litigation firms handling pan-European proceedings.

The second major factor is case complexity — specifically, how

thoroughly the patent dispute needs to be fought. This depends not only on the complexity of the technology itself but primarily on the client's strategy.

Team composition and firm structure are obvious cost factors. This is clearly reflected in both JUVE Patent's UPC ranking 2026 and coverage of current cases. Many clients favour compact teams. Nationally organised teams — whether in independent firms or international practices — have become the standard for UPC representation.

Clients only opt for international teams when cases have genuine cross-border aspects and such a setup offers clear advantages. The belief that every UPC case requires an international team has now become outdated.

## Cool-down

**DLA Piper must document working hours in Germany.** Lawyers in commercial law firms work long hours. This is no secret, certainly not to the occupational safety authorities in Hamburg. The authorities have already investigated associates' working hours at several law firms. Now it's DLA's turn. An employee had complained. The authorities investigated and ordered the firm, among other things, to record actual working hours in their entirety. This has now been confirmed by a court. Associates are not senior employees, and their health and safety outweigh the interests of the firm. So far DLA has yet to face any consequences. The firm has lodged an appeal. Furthermore, it is not clear whether the order from Hamburg also applies to the offices in Munich and Cologne, where DLA's patent team is based.



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