

IN THE COURT OF APPEAL (CIVIL DIVISION)

Case Refs: A4 2020 658, A4 2020 672, A4 2020 674 & A4 2020 675

ON APPEAL FROM

THE HIGH COURT OF JUSTICE

Claim No. CL-2016-000304

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

COMMERCIAL COURT (QBD) (Mr Justice Foxton)

14 APRIL 2021

B E F O R E:

LORD JUSTICE PETER JACKSON

LORD JUSTICE COULSON

and

LORD JUSTICE MALES

B E T W E E N :

OT COMPUTERS LIMITED (IN LIQUIDATION)

Respondent/Claimant

– and –

(1) INFINEON TECHNOLOGIES AG

(2) MICRON EUROPE LIMITED

Appellants/Defendants

ORDER

UPON the appeals of the Appellants against paragraphs 2 and 4 of the Order of Mr Justice Foxton dated 28 February 2020 and against paragraph 3 of the Costs Order of Mr Justice Foxton dated 22 April 2020

AND UPON hearing counsel for the Appellants and counsel for the Respondent

IT IS ORDERED THAT:

1. The appeals are dismissed.

2. The Appellants shall pay the Respondent's costs of these appeals, save for the costs of and occasioned by the Respondent's Notice, such costs to be determined by detailed assessment unless agreed.
3. The Appellants shall be jointly and severally liable to pay the Respondent within 28 days of the date of this Order the sum of £239,403.25 as an interim payment on account of the costs ordered pursuant to paragraph 2 above.
4. Detailed assessment proceedings may be commenced no earlier than 28 days after the final determination of any appeals arising in respect of this Order.
5. The Appellants are refused permission to appeal to the Supreme Court of the United Kingdom.

[BY THE COURT]