



Press release of July 21, 2026

Duesenfeld and BARDEHLE PAGENBERG achieve victory: legal validity of foundational patent on battery recycling by Duesenfeld confirmed by German Federal Patent Court

BARDEHLE PAGENBERG achieved an important victory for Duesenfeld GmbH (Duesenfeld) to safeguard the latter's patent portfolio: By judgement of July 14, 2026 (docket no. 7 Ni 12/24 (EP)), the 7th Nullity Senate of the German Federal Patent Court rejected a nullity complaint by No Canary GmbH (No Canary) against the German part of European patent 3 312 922 (EP'922) by Duesenfeld in its entirety.

The challenged patent relates to a low-temperature vacuum drying method and plays a key role in the reuse of lithium-ion batteries and the recycling of raw materials such as cobalt, nickel, and lithium. In contrast to conventional methods, Duesenfeld's method prevents the formation of dangerous hydrogen fluoride and makes the recovery of performance solvents possible – with lithium salts preserved in their original chemical form (LiPF₆). The low-temperature method reduces energy consumption and causes a favorable carbon footprint. These advantages make the method by Duesenfeld unique, which is underpinned by the fact that the company successfully implemented this innovation from idea through to commercial application: currently, three large-scale plants in Europe are at the commissioning stage.

The judgement will probably be significant beyond the nullity proceedings – in spite of the possibility of an appeal: Duesenfeld globally licenses its technology and can now enforce its patent portfolio more effectively against unlicensed competitors.

At present, appeal proceedings between Duesenfeld and No Canary are pending before the Higher Regional Court of Duesseldorf, dealing with the infringement of EP'922 by No Canary. Recently, the Higher Regional Court of Duesseldorf has issued an order to take evidence on the question of infringement. A first-instance judgement – which had rejected the infringement complaint – is, thus, obsolete. The fact that the legal validity of EP'922 has now been confirmed by the German Federal Patent Court will lend Duesenfeld momentum in this regard as well.

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In Zusammenarbeit mit:


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German Federal Patent Court, 7th Senate (Nullity Senate)

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Dr. von Hartz (Judge)

Wiegele (Judge, Dipl.-Ing.)

Dr. Deibele (Judge, Dipl.-Chem.)

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BARDEHLE PAGENBERG combines the professional expertise of attorneys-at-law, patent attorneys, professional representatives before the European Patent Office, specialized trademark lawyers, and qualified technical consultants. Our consulting services are tailored to our clients' individual needs and the specific circumstances of each case.

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