



**Procedural Order**  
**of the Court of First Instance of the Unified Patent Court**  
**issued on 8 May 2025**  
**concerning EP 2 037 175**  
**concerning App\_21412/2025**  
**(extension of a time period)**

CLAIMANT/APPLICANT:

**Polidoro S.p.a.**

via Lago di Misurina 76 - 36015 - Schio (Vicenza) - IT

Represented by Tilmann

Müller-Stoy

DEFENDANTS:

1) **Bekaert Combustion Technology B.V.**  
J.C. van Markenstraat, 19 - 9403 - AR Assen -  
NL

Represented by Marc van  
Wijngaarden

2) **NV Bekaert SA**  
Bekaertstraat 2 - Zwevegem - 8550 - BE

Represented by Marc van  
Wijngaarden

PATENT AT ISSUE:

European patent EP 2 037 175

PANEL/DIVISION:

Panel of the Local Division in Mannheim

DECIDING JUDGES:

This order was issued by the legally qualified judge Böttcher acting as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS: English

SUBJECT OF THE PROCEEDINGS: Patent infringement action – extension of a time period

BRIEF SUMMARY OF THE FACTS

In the proceedings at hand, Statement of Defence (SoD) and Counterclaim for Revocation (CCR) were lodged in separate briefs. The SoD, not including the pleadings of the CCR, was served on 10 March 2025 with access to a redacted version only. The redaction concerns information regarding the estimated damages of Defendants in case of an injunction. After a final order pursuant to R. 262A RoP has been issued, Claimant itself was given access to the unredacted version on 19 March 2025.

The CCR, using a separate brief, was served on Claimant on 18 March 2025.

Claimant requests

that the deadline for filing our reply brief be extended by one week, i.e. until May 19, 2025.

REASONS FOR ORDER

Claimant's request relates to the uniform time period for filing the Reply to the SoD, the Defence to the CCR and an Application to amend the patent. Even if the time periods were to be regarded not to be uniform, the scope of the request unambiguously follows from Claimant's reasoning.

Taking into account the circumstances of the case at hand, the extension of the time period is justified. The new time period (19 May 2025) applies to both the Reply to the SoD and the Defence to the CCR. Since an Application to amend the patent pursuant to R. 30 RoP is linked to the Defence to the CCR, said new time period also applies to a potential Application to amend the patent.

Defendants did not oppose the extension of the time period.

According to the case-law of the Local Division Mannheim, on a regular basis, since access to the unredacted version of the SoD was delayed, Claimant has to be granted an extension so that the time period of two month for the reply is available starting from the date when access to the unredacted version of the SoD was given to at least one natural person of Claimant. Although the restricted access concerned one point that is of at least minor importance for the CCR-proceedings, an extension for the Defence to the CCR is also justified. Claimant still has to have the opportunity to reconcile its arguments regarding the infringement and regarding the defence to the CCR. In addition, since the CCR was served on Claimant on 18 March 2025 only, the extension avoids an overly shortened time period for Claimant to react to the CCR. Moreover, there is no indication that the Claimant's request for an extension of the relevant time periods is unduly delaying the proceedings.

Against this backdrop, it can be left open which starting point for the time period is relevant, if the service dates of SoD and CCR differ considerably.

ORDER

The time period for the Claimant's Reply to the Statement of defence, the Defence to the Counterclaim for revocation and an Application to amend the patent is extended until **19 May 2025**.

ORDER DETAILS

Order no. ORD\_21808/2025 in ACTION NUMBER: ACT\_62013/2024

UPC number: UPC\_CFI\_716/2024

Action type: Infringement Action

Related proceeding no. Application No.: 21412/2025

Application Type: Generic procedural Application

Issued in Mannheim on 8 May 2025

NAME AND SIGNATURE

Böttcher  
Judge-rapporteur