



UPC_CFI_2045/2025
Local Division Mannheim

ORDER
of the President of the Court of First Instance
in the proceedings before the Local Division MANNHEIM
Pursuant to R. 323 RoP (language of the proceedings)
Issued on 26 January 2026

KEYWORDS

- Change of the language of the proceedings – Art. 49 (5) UPCA and R. 323 RoP

APPLICANTS (DEFENDANTS IN THE MAIN PROCEEDINGS):

1- Amazon.com, Inc.

Corporation Service Company, 251 Little Falls Drive, 19808, Willmington, County of New Castle, State of Delaware - US

2- Amazon Europe Core S.a.r.l

38 avenue John F. Kennedy, L-1855, Luxembourg - LU

3- Amazon EU S.a.r.l.

Marcel-Breuer-Str. 12, 80807, Munich - DE

4- Amazon Technologies, Inc.

Corporation Service Company, 112 North Curry Street, 89703, Carson City, Nevada - US

5- Amazon Media EU S.à.r.l.

38 avenue John F. Kennedy, L-1855 , Luxembourg - LU

6- Amazon.com Services LLC

c/o Amazon EU S.a.r.l. 38 avenue John F. Kennedy, L-1855, Luxembourg, LU

Represented by: Klaus Haft, Martin Köhler, Sven Krause, Nico Schur, Michiel de Baat, Andrew Lin – HOYNG ROKH MONEGIER

RESPONDENT (CLAIMANT IN THE MAIN PROCEEDINGS):

InterDigital Madison Patent Holdings, SAS

20 rue Rouget de Lisle, 92130, Issy-les-Moulineaux, FR

Represented by: Julius Winkler, Lisa Rieth, Cordula Schumacher, Arno Riße, Tuğçe Altun - ARNOLD RUESS

PATENT AT ISSUE: EP2803191

SUMMARY OF FACTS

By a statement of claim filed on 18 December 2025, InterDigital Madison Patent Holdings, SAS brought an infringement action against the abovementioned Applicants (hereinafter collectively referred to as “Amazon”, or “the Defendants” with regard to their status in the main proceedings) based on EP2803191 titled “Method and device for coding an image block, corresponding method and decoding device”.

By a generic procedural application dated 19 January 2026, the Defendants, referring to R. 323 RoP, requested a change of the language of proceedings from German to English.

The request was forwarded to the President of the Court of First Instance of the UPC pursuant to R. 323.1 RoP and by an order dated 20 January 2026, the Claimant in the main action was subsequently invited, in accordance with R. 323.2 RoP, to state its position on the admissibility of the Application and on the use of the language in which the patent was granted, namely English, as language of the proceedings.

InterDigital Madison Patent Holdings, SAS submitted its written comments on 21 January 2026.

The panel of the LD Mannheim has been consulted in accordance with R. 323.3 RoP.

INDICATION OF THE PARTIES' REQUESTS AND POINTS AT ISSUE:

The Defendants request that the Court change the language of the proceedings from German to English pursuant to R. 323.3 RoP.

The Applicants first state that according to the existing consistent case law, their request is admissible even though not being submitted with the Statement of Defence. A more restrictive interpretation of R. 323.1 RoP would not ensure a flexible and balanced application of this provision.

On the merits of the Application, they contend that a change of the language of the proceedings from German to the language in which the patent was granted is justified on grounds of fairness and considering all relevant circumstances pursuant to Art. 49 (5) UPCA and R. 323 RoP, for the following reasons:

- None of the Defendants are based in Germany. The fact of being sued in a language they don't master is a decisive disadvantage.
- The circumstances of the case require a uniform and coordinated work of the Defendants who need to efficiently and rapidly communicate in English. Moreover, all technical support is generally provided by employees located in the US.
- There is no indication that the requested change would disadvantage the Claimant that generally uses English and can handle the dispute in this language.
- English is the language used in the relevant technical field of technology – namely image processing – which is reflected by the prior art documents and relevant literature.
- FRAND negotiations – expected to play a significant role in the present proceedings – were conducted in English.
- Strategic considerations for the Claimant to choose a given language should not be taken into account in weighing the respective interests of the parties.
- The adoption of English as language of the proceedings is likely to facilitate the organisation of the Court's activities and serves the objective of procedural efficiency.

InterDigital Madison Patent Holdings, while still of the opinion that the requested change is not necessary for grounds of fairness, stated that it commented extensively on the same issue in the context of previous application without its comments being accepted. The Respondent therefore refrains from presenting its arguments again in the present case against the background of the orders previously issued in UPC_CFI_86/2025 and UPC_CFI_87_2025, to save judicial resources.

GROUNDINGS FOR THE ORDER:

1- Admissibility of the Application

The admissibility of the Application is not disputed in the present case.

2- Merits of the Application

According to Art. 49(1) UPCA, the language of the proceedings before a local division must be an official language of its hosting Member State or alternately the other language designated pursuant to Art. 49 (2). It is further provided by R. 323 RoP that “If a party wishes to use the language in which the patent was granted as language of the proceedings, in accordance with Article 49(5) of the Agreement (...) [t]he President, having consulted [the other parties and] the panel of the division, may order that the language in which the patent was granted shall be the language of the proceedings and may make the order conditional on specific translation or interpretation arrangements”.

InterDigital Madison Patent Holdings does not substantiate any circumstances of the case or relating to the parties which could justify not changing the language of the present proceedings. They merely refer to previous comments submitted in the context of other infringement actions before the Mannheim and Düsseldorf Local Divisions that they will not reiterate, considering that their arguments have not been decisive in the respective orders dated 30 April 2025 (Nos. APP_11333/2025 and 17395/2025 - UPC_CFI_87/2025 – LD Düsseldorf) and 2 May 2025 (No. APP_17389/2025 - UPC_CFI_86/2025 – LD Mannheim).

In the absence of further arguments and objections raised by Madison Patent Holdings in the main proceedings and given the position stated by Amazon in support of the request, the Court expressly refers to its reasoning developed in the above-mentioned orders. On the same grounds, the language of the present proceedings shall therefore be changed to the language in which the patent at issue was granted – namely English.

The present order shall not at this stage be conditional on specific translation or interpretation arrangements, which are not requested.

ON THESE GROUNDS

- 1- The language of the proceedings shall be changed to the language in which the patent was granted, namely English.
- 2- The present order shall not be conditional on specific translation or interpretation arrangements.
- 3- An appeal may be brought against the present order within 15 calendar days of its notification pursuant to Art. 73. 2 (a) UPCA and R.220 (c) RoP.

INSTRUCTIONS TO THE PARTIES AND TO THE REGISTRY

The next step requires the Applicants to file the Statement of Defence within the time period prescribed by the Rules of Procedure.

ORDER

Issued on 26 January 2026

NAME AND SIGNATURE

Florence Butin
President of the UPC Court of First Instance