



Appeal n° :
UPC_CoA_004/2026
UPC_CoA_013/2026

ORDER OF PROCEDURE
of the Court of Appeal of the Unified Patent Court
concerning to arequest simultaneous interpretation (R. 109 RoP)

issued on 03 April 2026

APPELLANT, DEFENDANT THE REQUEST SIMULTANEOUSINTERPRETATION , PLAINTIFF ACTION FOR INFRINGEMENT BEFORE THE COURT OF FIRST INSTANCE

VALEO SYSTEMES D'ESSUYAGE, 34, RUE SAINT-ANDRE 93012 BOBIGNY CEDEX, FRANCE

(hereinafter designated "**Valeo**" or "**Appellant**")

represented by Lionel Martin, Avocat au Barreau de Paris, representing before the UPC, as well as other representatives of Cabinet August Debouzy, Paris, France

RESPONDENTS, PLAINTIFFS THEREQUEST SIMULTANEOUSINTERPRETATION , DEFENDANTS ACTION FOR INFRINGEMENT BEFORE THE COURT OF FIRST INSTANCE

- ROBERT BOSCH FRANCE SAS, 32 AVENUE MICHELET, 93400, SAINT-OUEN-SUR-SEINE, FRANCE

- ROBERT BOSCH GMBH, 1 ROBERT-BOSCH-PLATZ, 70839 GERLINGEN, ALLEMAGNE

- ROBERT BOSCH S.A, 1 RUE HENRI-JOSEPH GENESSE, 1070 ANDERLECHT, BELGIQUE

- ROBERT BOSCH PRODUKTIE S.A, HAMELENDREEF 80, 3300 TIENEN, BELGIQUE

- ROBERT BOSCH DOO BEOGRAD, 90E/IV OMLADINSKIH BRIGADA, 11070, BEOGRAD, SERBIE

- BOSCH AUTOMOTIVE PRODUCTS (CHANGSHA) CO. LTD., 26, LIXIANGZHONG ROAD, ECONOMIC AND TECHNOLOGICAL DEVELOPMENT ZONE, CHANGSHA COUNTY, HUNAN PROVINCE, 410100 CHANGSHA, CHINE

(hereinafter together referred to as "**Respondents**")

represented by Mr. Johannes Heselberger , representing before the UPC, Bardehle Pagenberg, Munich, Germany

PATENT AT ISSUE

EP 2 671 766

JUDGE DECISION MAKER

Emmanuel Gougé, legally qualified Judge and judge-rapporteur

LANGUAGE OF THE PROCEDURE

French

ORDERS OF THE TRIBUNAL DE PREMIERE INSTANCE CONTESTED

- Order of the Division Centrale (section of Paris) of 23 December 2026, (in appeal proceedings UPC_CoA_004/2026)
- Order of the Division Centrale (section of Paris) of 21 January 2026, (in appeal proceedings UPC_CoA_013/2026)

REMINDER OF THE FACTS AND OF THE PROCEDURE

The procedure before the Court of First Instance

1. The Appellant brought an action for infringement of the contested patent against the Respondents before the Central Division (Paris Section) of the Court of First Instance of the Unified Patent Court (hereinafter the "Paris CD").
2. Pursuant to the provisions of R. 19 RoP, the companies Robert Bosch France SAS, Robert Bosch GmbH, Robert Bosch SA, and Robert Bosch Produktie SA on the one hand, and the companies Robert Bosch Doo Beograd and Bosch Automotive Products (Changsha) Co. Ltd., on the other hand, filed a preliminary objection (R. 19 RoP) concerning the jurisdiction of the Paris CD and the language of the proceedings.
3. The Paris CD ruled that it did not have jurisdiction to deal with the infringement claim and, granting Valeo's subsidiary request, ordered the referral of the infringement claim to the Düsseldorf local division and said that the language of proceedings will be English (orders of procedure judge-rapporteur of 23 December 2025 and 21 January 2026, hereinafter the "Contested Orders").

The appeal procedure and the Respondents request for simultaneous interpretation

4. The Appellant lodged an appeal against the contested orders.
5. After consultation with the parties, the hearing by videoconference was scheduled for 27 April 2026 (JR order of 19 March 2026).
6. The Respondents filed a request for simultaneous interpretation (R. 109 RoP), requesting the Court of Appeal to order, inter alia
 - simultaneous interpretation during the hearing, from French into English and from English into French, in accordance with R. 109.1 RoP and R. 109.2, first sentence, RoP;
 - in the alternative, simultaneous interpretation during the hearing, from French into English and from English into French, at the advanced costs of Appellant or, in the further alternative, at the costs of the Respondents, in accordance with R. 109.2, second sentence, RoP.
7. In summary, they submit that the orders challenged changed the language of procedure of the cases pending at first instance to English, that they have since organised themselves to conduct their defence in English, that the Representative of the Respondents masters French in written expression, but not sufficiently in oral expression to enable optimal representation of the Respondents at the hearing before the Court of Appeal, that the Respondents have filed their Statement of Defence and Counterclaim for Nullity in that language, and that the Appellant, on the date of the hearing on 27 April 2026

before the Court of Appeal, will have itself also filed its brief to the brief in defence and its statement of defence to the Counterclaim for Invalidity in English.

8. The Appellant contests the application of the Respondents and requests in particular the Court Appeal to
 - reject the request for simultaneous interpretation made by the Respondents, whether based on R109.2 or R109.4 ;
 - in the alternative, order that the pleadings on 27 April 2026 be conducted in English for all the parties.
9. In particular, it argues that the Respondents' belated request amounts *de facto* to a change - albeit a one-off one - in the language of the proceedings, that the Respondents, in the appeal proceedings did not dispute that the language of the appeal proceedings is French, that the Respondents, after consulting the Judge-Rapporteur relatively to organisation of hearing previously to the summons to the hearing, had formulated no reservation as to the holding of hearing in the language of the proceedings, that the lawfirm to which the Respondents' representative belongs is made up in part of lawyers whose mother tongue is French, It was therefore possible for the Respondents to organise their defence accordingly. In the alternative, the Appellant considers that if the request for simultaneous interpretation proves to be well-founded, considerations of pragmatism and procedural efficiency justify holding the hearing in English for all the parties.

REASONS

10. The request for simultaneous interpretation, made more than one month before the date of the hearing, is admissible but must be rejected for the following reasons.
11. At no later than one month before hearing, including any separate hearing of witnesses and experts, a party may form a request for simultaneous interpretation under the conditions set out in R. 109.1 RoP. In accordance with the provisions of R. 109.2 RoP, the Judge-Rapporteur decides whether and to what extent simultaneous interpretation is appropriate and instructs the Registry to make all necessary arrangements for simultaneous interpretation. In the event that the judge-rapporteur refuses to order simultaneous interpretation, the parties may request that arrangements be made, as far as possible, for simultaneous interpretation at their expense.
12. These provisions must be applied in the light of the general principles referred to in Agreement and in the preamble to the Procedural Rules. In particular, flexibility is to be ensured by applying all procedural rules in a flexible and balanced manner, with the required level of appreciation so that the judges organise the proceedings in the most efficient and economical way (Preamble, para.4) and justice and fairness are guaranteed by taking into account the legitimate interests of all the parties (preamble, para.5).
13. In the present case, the fact that an official representative of the Respondents does not master the language of the proceedings does not constitute sufficient justification (Court of Appeal CoA 317/2025 and CoA 376/2025, Order of 21 August 2025, Barco v Yealink, para. 15).
14. The parties are obliged to be represented in accordance with the provisions of Article 48 UPCA and Rule 8.1 of the RoP (Court of Appeal CoA_404/2023, Order of 8 February 2024, Ocado), and this representative will generally be a lawyer or a European patent attorney familiar with the language of the proceedings (aforementioned Order of 21 August 2025, para. 14).
15. In the present case, the use of simultaneous interpretation would merely remedy the lack of sufficient oral proficiency of the language procedure one of the representatives who, although understands the French language, does not speak it fluently. Given that the Court, the parties and the representatives all have a good oral fluency

of both French and English language, simultaneous interpretation would not present any advantage to the holding of the hearing in English.

16. Having regard to the above principles, in particular the principle of a flexible and balanced procedure, organised in an efficient and economical manner, and having regard to the interests of all the parties as well as the Appellant's subsidiary request based on considerations of pragmatism and procedural efficiency, it appears justified to allow the parties, at the hearing on 27 April 2026, to plead in the language in which the proceedings at first instance were ordered to be continued and in which they, following the contested orders, prepared and exchanged their pleadings in first instance, without prejudice to the decision on appeal to be taken at the end of the hearing on 27 April as to the language of the proceedings in the proceedings UPC_CFI_809/2025 and without this call into question the language of the proceedings in the present appeal proceedings.

ORDER

- The request for simultaneous interpretation is rejected
- The Judge-Rapporteur, after consultation with the President of Chamber 1 of the Court of Appeal before which the case will be heard, orders that the proceedings at the hearing on 27 April 2026 will be conducted in English.

Rendered at Luxembourg, on 03 April 2026.

Emmanuel



Date 2026.04.03
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Emmanuel Gougé, Legally qualified judge and judge-rapporteur