



UPC_CFI_249/2026
Local Division Düsseldorf

ORDER
of the President of the Court of First Instance
in the proceedings before the Local Division Düsseldorf
pursuant to Rule 323 RoP (language of the proceedings)
Issued on 07/04/2026

HEADNOTE:

- In the context of an agreement to change the language of the proceedings, the Court shall consider the interests of all parties involved while deciding on the time limit for providing the respective translations.

KEYWORDS:

R. 324 RoP - Decision upon request for translation of existing pleadings and other documents

APPLICANTS (DEFENDANTS IN THE MAIN PROCEEDINGS):

- 1- **Guangdong OPPO Mobile Telecommunications Corp. Ltd**
No. 18 Haibin Road, Wusha Village, Chang 'an Town – 523860 – Dongguan City,
Guangdong Province – CN
- 2- **Orope Germany GmbH**
Graf-Adolf-Platz 15 – 40213 – Düsseldorf – DE

Represented by: Rien Broekstra – Vossius & Brinkhof

RESPONDENT (CLAIMANT IN THE MAIN PROCEEDINGS):

Koninklijke KPN N.V

Wilhelminakade 123 – 3072 AP – Rotterdam – NL

Represented by: Axel Verhauwen – Krieger Mes

PATENT AT ISSUE: EP3349412

SUMMARY OF FACTS:

By a Statement of Claim filed on 23 January 2026, Koninklijke KPN N.V brought an infringement action against Guangdong OPPO Mobile Telecommunications Corp. Ltd and Orope Germany GmbH based on EP 3349412.

By a procedural application dated 20 March 2026 the abovementioned defendants, referring to R.323 RoP, requested that the language of proceedings be changed from German to English (hereinafter the “Application”). The Application was forwarded to the President of the Court of First Instance of the UPC pursuant to R. 323.1. RoP and the Claimant in the main action was subsequently invited to indicate within 10 days its position on the admissibility of the request and on the use of the language in which the patent was granted (namely English) as language of the proceedings.

Koninklijke KPN N.V submitted their comments on 1 April 2026.

INDICATION OF THE PARTIES’ REQUESTS:

The Applicants request the Court to order that:

- the language of the proceedings be changed to English;
- the claimant submit an English translation of the Statement of Claim, together with English translations of Annexes K10 and K17, within two weeks of the Court’s order being issued.

Koninklijke KPN N.V. submitted its written comments on 1 April 2026 and:

- agrees to a change of the language of the proceedings from German to English;
- requests the Court to grant the claimant a time period of three weeks to provide an English translation of the Statement of Claim and of the Annexes K10 and K17.

FOUNDATIONS FOR THE ORDER:

1. On the requested change of the language of the proceedings from German to English:

As expressly agreed by the Claimant in its written comments on the Application, the language of the proceedings shall be changed to the language in which the patent at issue was granted – namely English.

As this change shall be effective as from the date of the present Order, the current proceedings shall continue in English including all further procedural steps.

2. On the subsequent request for translations:

According to R. 323.3 RoP “[t]he President, having consulted 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”. It is furthermore stated (R. 324 RoP) that “[a]n Application under Rule 321.1 or 323.1 shall specify whether existing pleadings and other documents should be translated and at whose cost. If the parties cannot agree the judge-rapporteur or the President of the Court of First Instance, as the case may be, shall decide in accordance with Rule 323.3”.

The only remaining issue is the time limit within which the translations should be provided.

K_10 (general article on Oppo activities) and K_017 (“Merkmalsgliederung”) alongside the Statement of Claim represent 63 pages in total. Considering the date of effective service and subsequent time limits applicable to the Defendants, Koninklijke KPN N.V. is requested to submit an English translation of the abovementioned documents (SoC/K_10/K_17) by 24 April 2026.

ON THESE FOUNDATIONS:

- 1- The language of the proceedings shall be changed to the language in which the patent was granted, namely English.
- 2- Koninklijke KPN N.V. is requested to provide English translations of the Statement of Claim and of Annexes K_10 and K_17 by 24 April 2026.

- 3- An appeal may be brought against the present order within 15 calendar days of its notification to the Applicants pursuant to Art. 73. 2 (a) UPCA and R.220 (c) RoP.

INSTRUCTIONS TO THE PARTIES AND TO THE REGISTRY:

The next step is for the Applicants to file the Statement of Defence within the time period as set by the Judge-rapporteur.

Issued on 07 April 2026

NAME AND SIGNATURE

Florence Butin
President of the UPC Court of First Instance