



UPC Court of Appeal  
UPC\_CoA\_39/2026

**Order**  
**of the Court of Appeal of the Unified Patent Court**  
**27 May 2026**  
**Public access to the register (Rule 262.1(b) RoP)**

APPLICANT

**Anker Innovations Deutschland GmbH**, Düsseldorf, Germany

represented by Jan-Caspar Maiers, Attorney-at-law, of the law firm Wildanger, Düsseldorf, Germany

APPELLANT IN 534/2024 AND 19/2025 AND RESPONDENT IN 683/2024 (AND DEFENDANT BEFORE THE COURT OF FIRST INSTANCE)

1. [REDACTED]
2. **Belkin GmbH**, Aschheim, Germany
3. **Belkin International Inc.**, El Segundo, California, United States of America
4. **Belkin Limited**, Wellingborough, Northamptonshire, United Kingdom
5. [REDACTED]
6. [REDACTED]

(hereinafter referred to in the singular as 'Belkin'; defendants 1, 5 and 6 hereinafter referred to as 'defendant directors'; defendants 2 to 4 hereinafter referred to as 'defendant companies')

represented by: Dr Philipp Cepl, Attorney-at-law, and other Attorneys-at-law of the law firm DLA Piper UK LLP Attorneys-at-law, Munich

RESPONDENT ON APPEAL IN 534/2024 AND 19/2025 AND APPELLANT IN 683/2024 (AND BEFORE THE COURT OF FIRST INSTANCE)

**Koninklijke Philips N.V.**, Eindhoven, Netherlands

(hereinafter 'Philips')

represented by: Dr Tilmann Müller, Attorney-at-law, and other Attorneys-at-law of the firm Bardehle Pagenberg, Hamburg

LANGUAGE OF THE PROCEEDINGS

German

PATENT AT ISSUE

EP 2 867 997

DECIDING JUDGE

Panel 2

Patricia Rombach, legally qualified judge and judge-rapporteur

FACTS

1. Philips is the proprietor of European patent 2 867 997 (the patent at issue) and brought proceedings against Belkin for patent infringement before the Munich local division. Belkin filed a counterclaim seeking the revocation of the patent at issue. On 3 October 2025 (UPC\_CoA\_534/2024, UPC\_CoA\_19/2025 and UPC\_CoA\_683/2024), the Court of Appeal ruled on the parties' appeals against the decision of the Munich local division.
2. Anker Innovations Deutschland GmbH requests access to the pleadings and annexes exchanged under action numbers UPC\_CoA\_534/2024, UPC\_CoA\_683/2024 and UPC\_CoA\_19/2025, insofar as these are not subject to confidentiality requests. In paragraph 12 of the application, Anker "makes it clear that the applicant (Anker) does not seek disclosure of information relating to matters outside the technical arguments and classified as confidential pursuant to Rules 262.2 and 262A of the Rules of Procedure."
3. Philips requests that the parties' non-technical arguments, as well as all information subject to a confidentiality order, be excluded from the application for access to the file.

SUBMISSIONS OF THE PARTIES

4. Anker submits that the background to the request for access to the files originally made to the Munich local division is a parallel infringement proceeding brought against it by Philips before the Munich local division concerning an alleged infringement of the patent at issue. This gives rise to a substantial legal interest in the documents sought. Anker requires access to the pleadings and annexes in order to identify possible differences in the parties' technical arguments and thus factual or legal differences from the proceedings currently pending, in particular any abbreviated arguments.
5. Philips does not object to Anker's application in so far as it relates to the parties' technical arguments, which are not subject to any confidentiality orders.
6. Belkin raises no objections to the requested access to the files.

## REASONS

### *Legal framework*

7. Subject to the conditions laid down in the UPC Agreement and the Rules of Procedure, the register kept by the Registry is open to the public (Art. 10(1), 3rd sentence UPC Agreement).
8. Pursuant to Art. 45 of the UPC Agreement, proceedings are public unless the Court decides, where necessary, to hold them in camera in the interests of a party or other interested parties, or in the general interest of justice or public order.
9. Without prejudice to the articles and rules set out in detail in Rule 262.1 of the RoP, which provide for the protection of confidential information, pursuant to Rule 262.1(b) of the RoP, pleadings and evidence filed with the Court and recorded by the Registry shall be made available to the public upon a reasoned application addressed to the Registry; the decision shall be taken by the judge-rapporteur after hearing the parties.
10. The interest of a member of the public in accessing the documents and evidence must be balanced against the interests referred to in Article 45 of the UPC Agreement. These interests include the protection of confidential information and personal data ('interest of one of the parties or other persons concerned'), but are not limited to this (UPC-BerG, Order of 10 April 2024, UPC\_CoA\_404/2023, *Ocado v Autostore*, para. 43; Order of 17 February 2026, UPC\_CoA\_926/2025, *Huawei/TP-Link*, para. 15).
11. Once the case has been concluded, whether by a decision on the merits, a settlement or a withdrawal, the balancing of interests generally favours granting access, subject to due regard being paid to the protection of personal data and confidential information (*Ocado v Autostore*, para. 51; *Huawei v TP-Link*, para. 16).
12. Where an application is made under Rule 262.2 of the RoP is made to treat certain information contained in documents or evidence as confidential and a redacted version of the documents is submitted, access under Rule 262.1(b) of the RoP may be granted only to that redacted version, without prejudice to the possibility for a member of the public to apply, under the conditions laid down in Rule 262.3 of the RoP, to request access to information which is excluded from public access under Rule 262.2 of the RoP.
13. If, on the other hand, a party has not submitted an application under Rule 262.2 of the RoP even during the hearing under Rule 262.1(b) of the RoP (see *Huawei v TP-Link*, para. 19), the member of the public shall, upon application, be granted access in accordance with Rule 262.1(b) of the RoP, subject to the protection of personal data, provided that the balancing of interests (see para. 10) has been in their favour (*Huawei/TP-Link*, para. 18).

*Admissibility of the application*

14. The application is admissible.
15. The Court of Appeal has jurisdiction over the application for access to the register concerning pleadings and evidence submitted in the appeal proceedings (see decision of 24 February 2026, UPC\_9/2026, *Gowling v Boehringer Ingelheim, Zentiva*, para. 14).
16. An application for access to the register must be sufficiently specific. If the application does not seek the production of all pleadings and evidence, but rather individual documents or parts thereof, the selection must not be left to the discretion of the court (see *Gowling v Boehringer Ingelheim, Zentiva*, para. 22).
17. According to the content of the application, Anker seeks access to ‘the exchanged pleadings together with annexes, in so far as these are not subject to applications for protection of confidentiality’. This application is sufficiently specific. The restriction that these are not subject to confidentiality applications is to be understood as meaning that the application relates solely to the redacted pleadings and annexes submitted in accordance with Rule 262.2 of the RoP. This satisfies the requirements of specificity, as these pleadings and annexes are thereby specifically identified.
18. In contrast, in so far as Anker, in paragraph 12 of its application, ‘clarifies’—contrary to the wording of the application “clarifies” that it does not seek disclosure of information relating to facts outside the technical arguments, such a restriction would be indefinite, as it would be left to the court to identify the technical information.
19. The wording of the application is decisive here. An interpretation based on the restriction in the statement of grounds for the application is not an option here. In cases of uncertainty, what is intended is, in case of doubt, that which is reasonable according to the standards of the legal system and corresponds to the well-understood balance of interests. Due to the vagueness of the restriction to technical information, it must be assumed that Anker deliberately formulated the broader application in this way, taking into account the case law of the Court of Appeal (see para. 16 above), but that Anker wished to clarify that its actual interest relates solely to the technical information.
20. This clarification is sensible, as it gives the parties the opportunity to redact the non-technical information themselves and to hand over the documents thus redacted to Anker. This has already been the practice in several appeal proceedings. Since no use was made of this option in this case, the documents must be made available without restriction.

*Merits of the application*

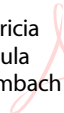
21. As the proceedings have been finally concluded, the balancing of interests here favours granting access to all documents and annexes, in so far as they are not subject to applications for protection of confidentiality.
22. No application was made in the appeal proceedings pursuant to Rule 262.2 of the RoP. Philips confirmed this in a document dated 20 May 2026. Nor was any such application made in these proceedings. Access to the files must therefore be granted for all pleadings and annexes.

ORDER

Anker shall, after redacting personal data within the meaning of Regulation (EU) 2016/679, make available the pleadings and annexes exchanged in the appeal proceedings UPC\_CoA\_534/2024, UPC\_CoA\_683/2024 and UPC\_CoA\_19/2025.

Issued on 27 May 2026

Patricia  
Ursula  
Rombach



Digitally signed  
by Patricia  
Ursula Rombach  
Date: 27 May  
2026:00 +02'00'

Patricia Rombach, legally qualified judge and judge-rapporteur