DeepL machine translation provided by www.veron.com

Unified Patent Court
Einheitliches Patentgericht
Juridiction unifiée du brevet

Paris Local Division

UPC_CFI_1963/2025
& UPC_CFI_1247/2026

Procedural Order
of the Court of First Instance of the Unified Patent Court
issued on 18 July 2026
(Rule 9.3 of the RoP – extension of time limit)

APPLICANT

VALEO SYSTEMES D'ESSUYAGE
8 rue Louis Lormand,
78320 La Verrière, France

Represented by Lionel MARTIN
and other
representatives
AUGUST DEBOUZY

DEFENDANTS

1- ROBERT BOSCH DOO Belgrade
90E/IV Omladinskih brigade
11070, Belgrade, Serbia

Represented by Johannes HESELBERGER
and other
representatives of
BARDEHLE PADENBERG

2- ROBERT BOSCH FRANCE S.A.S.
32 avenue Michelet
93400, Saint-Ouen-sur-Seine, France

3-ROBERT BOSCH GmbH
1 Robert-Bosch-Platz
70839, Gerlingen, Germany

4-ROBERT BOSCH S.A.
1 rue Henri-Joseph Genesse
1070, Anderlecht, Belgium

5- ROBERT BOSCH PRODUKTIE S.A.
Hamelendreef 80
3300, Tienen, Belgium

6- BOSCH AUTOMOTIVE PRODUCTS (CHANGSHA) CO., LTD.
No. 26, Lixiangzhong Road,
Economic and Technical Development Zone,
Changsha County, Hunan Province
410100, Changsha, China

DeepL machine translation provided by www.veron.com

PATENT IN DISPUTE

Patent No.	*Patentee*
EP4144599	Valeo Wiper Systems

PRESIDING JUDGE:

Judge-rapporteur Carine Gillet

LANGUAGE OF THE PROCEEDINGS: French

ORDER

On 12 December 2025, VALEO SYSTEMES D'ESSUYAGE (hereinafter 'VALEO') brought proceedings for infringement of its patent EP 4144599 B1 before the Paris Local Division against six companies belonging to the Bosch Group. On 13 April 2026, the BOSCH companies filed their statement of defence, including a counterclaim for the revocation of the patent (UPC_CFI_ 1247/2026). On 15 June 2026, VALEO filed a reply to BOSCH's statement of defence and a reply to the counterclaim for the revocation of the patent.

By application dated 16 July 2026, the BOSCH companies requested that the Judge-rapporteur:

I. Order that the time limit granted to the Defendants to file their rejoinder to the Claimant's reply in the infringement proceedings and their reply to the Claimant's defence in the counterclaim for invalidity filed on 15 June 2026 shall not commence until'upon receipt of an unredacted version thereof.

In support of its application, BOSCH argues that it has access only to a redacted version of the Claimant's previous submission, filed in the CMS on 15 June 2026, and is therefore unable to organise its defence, as it is unable to examine an unredacted version of that document and determine the specific allegations against which it must defend itself. As held in such cases, regardless of the nature or content of the redacted material, it is appropriate to grant it additional time to submit its written submissions.

BOSH also contends that VALEO filed its statement of 15 June 2026 only in the infringement proceedings (UPC_CFI_1963/2025) and not in the CMS track dedicated to the counterclaim for invalidity (UPC_CFI_1247/2026), even though these are separate proceedings, bearing different case numbers, and one of which may be transferred to another Division of the Unified Patent Court.

On 16 July 2026, having been invited on the same day by the Judge-Rapporteur to submit its written observations by 23 July 2026, VALEO puts forward the following claims:
As a principal claim
- Dismiss the Defendants' application for an extension of time;

DeepL machine translation provided by www.veron.com

In the alternative
- Order an extension not exceeding three (3) additional days from 17 August 2026, the deadline for the Defendants to file their written submissions.

VALEO moves for the application for an extension of time to be dismissed, arguing that, contrary to BOSCH's allegations, a clear (unredacted) version of the statement of case was filed on 15 June 2026 in the CMS simultaneously with the filing of the redacted version, and that this document was immediately accessible to BOSCH within the framework of the confidentiality arrangement previously established, had the Defendant requested it from the registry or the claimant's representative, which BOSCH manifestly failed to do through negligence. BOSCH cannot therefore justify an extension of the time limits, given that it has made no effort since 15 June 2026 to access the document and was able to consult it one and a half hours after requesting it, on 16 July 2026. VALEO argues that an extension of the time limit would also be contrary to the principle of fairness, given the claimant's diligence and the time limits imposed upon it.

VALEO adds that the failure to file the pleadings via the dedicated channel for the counterclaim for nullity does not prejudice the defendants in any way, as the redacted passages relate to the issue of prior use and therefore to the infringement itself; and, finally, that the case law cited is irrelevant to the present case.

In the alternative, any extension should not exceed three days, which corresponds to the realistic time required for any party to identify a difficulty in accessing a document in a file.

GROUNDS FOR THE ORDER

Pursuant to Rule 29(d) of the RoP, the defendant is required to file, within two months, a reply to the defence to the counterclaim for annulment and a rejoinder to the reply to the defence.

Pursuant to R.9.3 RoP, the court may, upon a reasoned application by a party,
a) Extend, even retrospectively, a time limit referred to in these Rules or imposed by the court.

In this instance, on 15 June 2026, VALEO filed, within the procedural framework dedicated to the infringement action, a statement containing both a reply to the defence and a defence to the counterclaim for nullity. This brief dated 15 June 2026 was filed in the CMS in a version redacted to remove confidential information, classified as 'M' ('mutual' – accessible to the parties), and in an unredacted version identified as 'HC' ('Highly confidential' – accessible only to the court). The unredacted brief bears the note 'Confidential version – Order of 30 April 2026' in red letters at the bottom of the page, whilst the redacted brief bears the note 'Non-confidential version – Order of 30 April 2026' in blue letters at the bottom of the page.

Immediately following BOSCH's application of 16 July 2026, the unredacted version of the document was marked 'M' in the CMS by the court registry, on the instructions of the Judge-rapporteur, so that the defendant's representatives and legal team could access it.

It is irrelevant that the disputed statement of 15 June 2026 was filed solely within the procedural track dedicated to infringement and not simultaneously within the track reserved for the counterclaim for invalidity, as the two proceedings are linked within the CMS, particularly since BOSCH itself submitted a single statement of defence, serving both as its defence and as its counterclaim for invalidity, filed on 13 April 2026 and in which, moreover, the defendants request that the two actions (for infringement and for invalidity) be heard jointly (page 7/123 of the document), that is to say, without separating the two cases.
BOSCH has not put forward any specific ground of complaint and the argument is without merit.

Furthermore, the confidentiality order made at BOSCH's request on 30 April 2026 (and amended on 5 May 2026), to which reference is made in VALEO's confidential submission of 15 June 2026, relates to the confidentiality regime governing three documents originating from BOSCH, designated BP 6, BP 7 and BP 8, and designates the members of the confidentiality circle on VALEO's side (representatives, legal team and two individuals employed by VALEO), leaving it to BOSCH to determine the conditions for the disclosure of documents belonging to it, as regards its employees.

The passages underlined in blue in the unredacted brief and not visible in the redacted brief are all taken from documents that are clearly identified, either in the text of the brief itself (for example, page 10, paragraph 21 'according to document BP 8 provided by BOSCH' or page 15, paragraph 26), or by a footnote (for example, page 46, footnotes 25, 26 and 27, or page 47, footnotes 30, 31 and 32) identifying the documents as BP6, BP7 and BP8 – that is to say, the very documents that are the subject of the aforementioned confidentiality order and which all originate from BOSCH.

Thus, contrary to BOSCH's allegations, an unredacted version was indeed filed in the CMS, at the same time as the redacted version. Furthermore, VALEO did not need to make a request for confidentiality, since the regime governing the redacted disputed extracts had already been determined by the confidentiality order issued on 30 April.

As for BOSCH, it was in a position, as soon as the claimant's written submission was filed on 15 June 2026, to clearly identify the sources of the documents whose content was redacted in the redacted submission and to understand that these were its own documents, the content of which it presumably knows. BOSCH was also, as early as 15 June 2026, in a position to request access to the unredacted statement of case from either the opposing party's representative or the Division's registry; however, it refrained from doing so before raising concerns about the accessibility of this document, more than a month after the statement of case had been filed. This is all the more so given that the registry had previously, with particular diligence, resolved issues relating to difficulties in accessing documents in the case file in the same matter, simply upon being contacted.

It follows that BOSCH, having failed to take any steps within a reasonable time – a duty which rested solely with him – cannot seriously invoke his own negligence to justify the granting of an extension to submit his forthcoming pleadings.

The application for an extension of time must therefore be dismissed.

DeepL machine translation provided by www.veron.com

FOR THESE REASONS,
The Judge-rapporteur

- Dismisses the application for an extension of time made by BOSCH,

-Declares that the time limits referred to in R.29(d) RoP, set for the defendant, shall run from 15 June 2026, the date on which VALEO's previous written submissions were filed in the CMS.

Done and issued on 18 July 2026 Carine Gillet,
Judge-rapporteur

This order is subject to review in accordance with the conditions laid down in R333 RoP.

DETAILS OF THE ORDER
UPC No.: UPC_CFI_1963/2025
Type of action: Infringement action Related proceedings No. UPC-CFI_1247/2026
Details of the order: R.9 extension of time limits
Date of the order: 18 July 2026