



The Hague - Local Division
UPC_CFI_565/2024
UPC-CFI-0002246/2025

Order
of the Court of First Instance of the Unified Patent
Court issued on 29 July 2026
regarding: confidentiality club

Claimant:

- 1) Koninklijke KPN N.V.
Wilhelminakade 123
3072 AP Rotterdam
The Netherlands

represented by
Peter van Gemert

Also "KPN"

Defendant:

- 1) Oleading B.V.
Weena 505, 15th floor, space B1512
518100 Shenzhen, Guangdong Province
People's Republic of China

represented by
Rien Broekstra

- 2) Reflection Investment B.V.
Hofplein 20
3032 AC Rotterdam
The Netherlands

represented by
Rien Broekstra

- 3) Orope Germany GmbH
Graf-Adolf-Platz 15
40213 Düsseldorf
Germany

represented by
Rien Broekstra

- 4) OTECH Germany GmbH
Graf-Adolf-Platz 15
40213 Düsseldorf
Germany

represented by
Rien Broekstra

- 5) Guangdong OPPO Mobile Telecommunications Corp. represented by
No. 18, Haibin Road, Wusha, Chang'an Town Rien Broekstra
Dongguan, Guangdong
Republic of China

Together also "Oppo".

PATENTS AT ISSUE:

EP2337403 and EP3944587

DECIDING JUDGE

Presiding judge **Edger Brinkman**
Judge-rapporteur **Edger Brinkman**

LANGUAGE OF THE PROCEEDINGS: English

Subject-matter of the proceedings:

Infringement action

ORDER SOUGHT

Oppo requests the Court to order that:

- provided that no licensee has successfully intervened pursuant to point 12 of the Final Order before 10 July 2026, Oppo's counsel may grant access to: o [REDACTED] and [REDACTED] to o the licenses [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] and any accompanying annexes,
- whereby the same confidentiality regime as agreed by the parties in the LG Düsseldorf case ("Geheimhaltungsvereinbarung in den Gerichtsverfahren 4b O 27 /22 und 4b O 44/22") and the Final Order will apply.

KPN in turn requests the Court to order that:

- i. Insofar as the Court grants Oppo's in-house personnel access to the information contained in the Licence Materials to which Oppo has requested access in these proceedings, such access shall be limited to the following natural persons only: [REDACTED] [REDACTED] and [REDACTED]
- ii. Without prejudice to the confidentiality regime as agreed by the parties in the LG Düsseldorf proceedings ("Geheimhaltungsvereinbarung in den Gerichtsverfahren 4b O

27/22 und 4b O 44/22”) and the Final Order, (i) the persons referred to under i. in relation to any additional access, and (ii) any Oppo personnel not already part of the confidentiality club for the LG Düsseldorf proceedings if access would be provided to them (despite KPN’s objections), shall be subject to a licensing bar, pursuant to which they shall not participate in or advise upon any patent licence negotiations with the counterparties to the Licence Materials to which Oppo has requested access in these proceedings, for a period of five years from the moment when they cease to have access to the Licence Materials and any other confidential information, save with the relevant counterparty’s consent.

GROUND

The JR sees no reason to expand the confidentiality club as requested by Oppo. It has not been substantiated why this would be necessary, nor why in these proceedings, where as much as possible the confidentiality regime and club has been aligned with the parallel proceedings in Düsseldorf, this Court should diverge. Failing such substantiation, the circumstance that certain employees meanwhile have left Oppo, does not alter this. After all, there are still current employees with access, and – as said – no substantiated argument was made that this is not sufficient, bearing in mind KPN’s self-evident interest to not expand the club from 5 to 7 natural persons with knowledge.

The language of KPN’s request of (ii) (i) “any additional access” is slightly unclear to the JR. While it seems not the case, the JR cannot quite make out from KPN’s submission whether it wants a 5 year licensing bar imposed on these 3 current Oppo employees. If intended to apply also to these 3 employees, as the Court (and the parties) mirror(s) the Düsseldorf regime, the JR would want parties first to comment on whether such bar was imposed/agreed to in the Düsseldorf proceedings. For now, the JR will not order such bar at this stage. KPN may clarify within 2 working days following issuance of this order, and subsequently Oppo may respond within equally 2 working days, if necessary.

ORDER

The Court:

1. provided that no licensee has successfully intervened pursuant to point 12 of the Final Order before 10 July 2026, Oppo’s counsel may grant access to: Vincent [REDACTED] and [REDACTED] to the licenses [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] and any accompanying annexes,
2. whereby the same confidentiality regime as agreed by the parties in the LG Düsseldorf case (“Geheimhaltungsvereinbarung in den Gerichtsverfahren 4b O 27 /22 und 4b O 44/22”) and the Final Order will apply.

Presiding Judge and Judge
Rapporteur

Brinkman
Edger Frank

Digitally signed by
Brinkman Edger Frank
Date: 2026.07.29
13:34:51 +02'00'

For the Deputy Registrar

Digitally signed

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2026-07-29 15:12:57 +0200

Unified Patent Court
Einheitliches Patentgericht
Jurisdiction unifiée du brevet