



Paris Local Division

UPC_CFI_530/2025
Procedural Order
of the Court of First Instance of the Unified Patent Court,
issued on 22 September 2026
Concerning decisions taken following the pre-trial conference (Rule 105.5 of the RoP)

APPLICANT

KEEEX SAS
5 rue de Lissandre
13013 – MARSEILLE –
FR

Represented by Thibaud Lelong

DEFENDANTS

ADOBE SYSTEMS SOFTWARE IRELAND LIMITED
4–6 Riverwalk, Citywest Business Campus, Saggart
D24DCWO – Dublin 24 – IE

ADOBE INC.
345 Park Avenue
CA 95110-2704 - San Jose – US

Represented by Thomas Cuche

OPEN AI OPCO LLC
1455 3rd Street
CA 94158 - San Francisco - US

OPEN AI IRELAND LTD
117–126 Sheriff Street Upper, The Liffey Trust Centre,
1st Floor
D01 YC43 – Dublin 1 – IE

Represented by David Por

TRUEPIC INC.
402 W. Broadway, Suite 400/PMB#5021
CA 92101 - San Diego - US

Represented by Benjamin May

JOINT DEVELOPMENT FOUNDATION PROJECTS LLC

548 Market Street, PO Box 57724
CA 94101-5401 – San Francisco – US

**COALITION FOR CONTENT PROVENANCE AND
AUTHENTICITY (C2PA)**

3500 South Dupont Highway, Suite
AA101, DE 19901 – Dover – US

Represented by Philipp Cepl

DISPUTED PATENT

<i>Patent number</i>	<i>Patent holder(s)</i>
EP2949070	KEEEX SAS

JUDGE RULING ON THE CASE

President and Reporting Judge

Camille Lignieres

LANGUAGE OF THE PROCEEDINGS: French

ORDER

In accordance with Rule 105.5 of the RoP, following the pre-trial conference, the Reporting Judge issues an order setting out the decisions taken.

In the present case, a pre-trial conference was held online on 15 September 2026 and was audio-recorded (Rule 106 of the RoP). All parties were represented.

1) VALUE OF THE CLAIM (Rule 104(i) and (j))

KEEEX estimated the value of the claim, in respect of the infringement action, at EUR 6,622,802,000.00.

Each of the defendants assessed the value of the action for revocation of the patent at the same sum of EUR 6,622,802,000.00.

At the pre-trial conference, the representatives stated that they were maintaining these estimates. The defendants pointed out that, in any event, it was certain that the value of the claim corresponded to the maximum scale for the calculation of recoverable costs.

In view of the value of each of the claims (i.e. a total value of the present dispute of 2 × EUR 6,622,802,000.00), which corresponds to the scale for cases where the value in dispute is estimated at over 50 million euros, the ceiling on recoverable legal costs, as established by the Administrative Committee in its decision of 24 April 2023, is set at 2 million euros.

2) AMICABLE SETTLEMENT OF THE DISPUTE (Rule 104(d))

The possibilities of settling the dispute amicably between the parties or referring it to the Centre for Mediation and Arbitration in Patent Law were explored during the pre-trial conference by the reporting judge, and the brochure relating to the Centre for Mediation and Arbitration in Patent Law was sent, for information, to the parties' representatives prior to the pre-trial conference.

The claimant expressed a willingness to settle the dispute amicably but stated that no negotiations between the parties were currently underway.

The defendants argued that they were convinced of the invalidity of the patent in question and that, in these circumstances, they saw no possible path towards a settlement or any other amicable means of resolving the dispute with KEEEX.

3) MAIN POINTS OF LAW IN THE DISPUTE (Rule 104(a) RoP)

In accordance with Rule 104(a) of the RoP, the parties' representatives agreed on the main points of law as identified by the reporting judge in the note previously sent to them by CMS on XX.

Interpretation of the claims

- Definition of a person skilled in the art:

The definition is disputed between the parties (see the proposal made by KEEEX (Rejoinder, p. 34, and Duplique, section 3.1.1, p. 25) and see the proposal made by ADOBE (Statement of Defence, paragraphs 24–25, and Duplique, paragraph 32)).

It was agreed that this point would be decided by the panel in the decision on the merits.

- Claim 1

The main point of contention regarding the interpretation of the terms is as follows: the concept of an 'identification digital fingerprint' and how it differs from the term 'digital signature' (features 1.2, 1.3, 1.4 and 1.5)

According to the claimant, a digital signature serves to authenticate the author of a document, but cannot fulfil the function of an 'identification fingerprint' as claimed by the patent.

According to the defendants, a digital signature is itself a form of digital fingerprint.

- Other terms to be defined in the context of the patent:

‘digital data block’ (claims 1.1, 1.2 and 1.3): should a broad interpretation be adopted in the context of the patent?

The parties are invited to clarify whether the concept of a ‘block of data’ should be interpreted independently of the file format or whether it should be assessed in the light of the structure of the format in question.

Validity of the patent (EP 070) as granted and in its amended versions (auxiliary claims R.30.1 RoP)

The representatives are invited to focus their arguments on the following prior art:

- For novelty, in view of the prior art document ‘KANAI’ (US Patent 2005/0166044 A1);
- For inventive step, in view of one of the following documents as realistic starting points:
 - KANAI (US patent)
 - OpenPGP (RFC 2440 and RFC 4880)
 - the PDF standard.

The issue of the admissibility of the (conditional) requests for amendment to the patent will then be addressed: these are the main request (AR1) and the 10 subsidiary requests (AR2 to AR11), which correspond to the requests for amendment under Rule 30.1, the amendment under Rule 30.2 having not been authorised by the reporting judge by procedural order of 25 June 2026, confirmed on review by the panel’s order of 29 July 2026).

The reporting judge notes that the claimant stated at the pre-trial conference that it was withdrawing the so-called ‘AR10’ claim, which corresponds to the patent as granted. There is no objection to this point on the part of the defendants. The reporting judge observes that AR10 serves no purpose, since the claims are all conditional and the validity of the version as granted will be examined first by the panel. The claimant acknowledges that any change to the order in which the subsidiary claims are examined at this stage of the proceedings would be untimely and withdraws them. The subsidiary claims that are being pursued are therefore maintained in the same order, with the withdrawal of AR10.

The following issues will be examined: the procedural admissibility of AR 1 to AR 9 (is the deletion of Claim 15, which is not relied upon in the application for revocation, admissible?) and the admissibility of the requests for amendment AR 1 to AR 9 and AR 11 in view of the extension of the subject-matter.

Infringement (direct and indirect): materiality and liability

The representatives are invited to focus their submissions on the following topics:

Reproduction of claim 1

Injunction and remedial measures – request for disclosure of information Necessity

and proportionality

Provisional claims for payment

- damages (Rule 119 of the RoP)
- legal costs (preliminary estimate of legal costs for recovery – Rule 104(k))

4. CLARIFICATION ON CERTAIN POINTS (Rule 104(b))

At the oral hearing, the representatives are invited to clarify their positions on the following technical points:

- whether the term ‘digital fingerprint’ covers only hash-type fingerprints or whether it also encompasses digital signatures;
- in the latter case, whether a digital signature is compatible with all the features of claim 1 as well as with the dependent claims cited, in particular those relating to ‘reference links’ and the relationships between data blocks;
- whether the deletion of claim 15 is likely to alter the interpretation of claim 1
- whether only the bits corresponding to the identification fingerprint are to be excluded from the calculation, or whether larger areas of the data block may also be excluded;
- whether claim 1 involves a direct comparison between two fingerprints or whether intermediate operations, such as a step involving decryption or verification of a digital signature, are compatible with the claim.

5. HEARING AGENDA

6 October 2026 (starting at 9.30 am)

Preliminary introduction by the presiding judge (10 mins)

1. Presentation of the patent and interpretation of the claims (80 mins)

40 mins (plaintiff in the infringement proceedings) 40 mins (defendants in the infringement proceedings)

Break (15 mins)

2. Challenges to the validity of the patent by the main defendants (60 mins)

3. Plaintiff’s response to the challenges to validity (including amendments to the patent) (60 mins)

Lunch break (1 hour)

Replies on validity (Defendants: 10 mins and Claimant: 10 mins) Panel questions on interpretation and validity (10 mins)

4. Infringement: existence and liability (80 mins)

40 mins: Claimant

40 mins: Defendants (i.e. 10 mins for each of the 4 defendants)

5. Remedies (proportionality) 20 mins

10 mins: Claimant 10

mins: Defendants

6. Interim orders (damages and costs) 20 mins

10 mins: Claimant 10

mins: Defendants

Parties' replies on infringement, remedies and provisional orders (claimant: 10 mins and defendants: 10 mins)

Panel questions on infringement, remedies and provisional orders (10 mins)

Ends at 5.15 pm.

6. PRACTICAL ARRANGEMENTS

Language of the proceedings: the reporting judge reminds the parties that the hearing will be conducted entirely in French, which is the language of the proceedings and that of the patent. (See the pre-trial conference of 23 July 2026 on the practical arrangements for the oral hearing)

Simultaneous interpretation into English during the hearing (at the defendants' expense pursuant to Rule 109.4 of the RoP): appointments to carry out technical tests in the courtroom have been arranged with the Registry. (See the pre-trial conference of 23 July 2026)

Adjoining rooms made available to the parties' representatives: the Reporting Judge confirms that, on the day of the hearing, a room adjoining the courtroom will be made available to the representatives of the claimant and another room to the representatives of the defendant.

The parties are requested to provide the following by 2 October 2026:

- a list of persons associated with the parties who will be present at the hearing and those wishing to attend the hearing online (email address and capacity);
- their 'booklet' (in quadruplicate), previously uploaded to the CMS, not exceeding 20 pages, consisting solely of extracts from the written submissions and documents in the case file, with references to the sources, which will serve as supporting material for their oral arguments.

In view of these facts,

The Reporting Judge orders that:

- the preparatory proceedings be closed and that the oral hearing proceedings commence on the date of this order.

Issued in Paris, 22 September 2026.

C. Lignières, Reporting Judge

Date:

Carmille Lignières 22 September 2026

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DETAILS OF THE ORDER

UPC No.: UPC_CFI_530/2025

Type of action: Infringement
proceedings Type of order: R. 105.5

RoP Date of order: 22/09/2026