



## Brussels - Local Division

UPC\_CFI\_806/2025

UPC\_CFI\_185/2026

### Procedural Order 2

R. 105.5 RoP

of the Court of First Instance of the Unified Patent Court

Issued on 19 October 2026

Concerning EP 3 732 827

CLAIMANT INFRINGEMENT ACTION (UPC\_CFI\_806/2025)

DEFENDANT COUNTERCLAIM FOR REVOCATION (UPC\_CFI\_185/2026)

#### **BARCO NV**

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Hereafter referred to as:

*"Claimant" or "BARCO"*

DEFENDANTS INFRINGEMENT ACTION (UPC\_CFI\_806/2025)

CLAIMANTS COUNTERCLAIM FOR REVOCATION (UPC\_CFI\_185/2026)

#### **(1) YEALINK (XIAMEN) NETWORK TECHNOLOGY**

**Co. Ltd.**

#### **(2) YEALINK (EUROPE) NETWORK TECHNOLOGY BV**

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Together as YEALINK

Separately as YEALINK XIAMEN and YEALINK EUROPE

Co-Represented by

Hereafter referred to as:

#### PATENT AT ISSUE

| Number       | Proprietor(s) |
|--------------|---------------|
| EP 3 732 827 | BARCO NV      |

LANGUAGE OF THE PROCEEDINGS:

English

SUBJECT MATTER:

R. 105 RoP

## **PANEL - LOCAL DIVISION**

|                                     |                        |
|-------------------------------------|------------------------|
| Presiding Judge – Judge-Rapporteur: | Samuel Granata         |
| Legally Qualified Judge:            | Petri Rinkinen         |
| Legally Qualified Judge:            | Mélanie Bessaud        |
| Technically Qualified Judge:        | Steven Richard Kitchen |

## **DECIDING JUDGES:**

Order issued by the Judge-Rapporteur

## **I. THE INTERIM CONFERENCE DATED 8 SEPTEMBER 2026**

1. An interim conference (hereafter “IC”) was organised via video conference (Webex) on 8 September 2026 at 10 am (CEST) and, subsequently, a procedural order was issued on 14 September 2026 (hereafter referred to as “Procedural Order IC 1”).
2. In *Procedural Order IC 1* the following was ordered by the Judge-Rapporteur:
  1. *The value of the infringement action (UPC\_CFI\_806/2025) is set to € 1 million and the value of the counterclaim (UPC\_CFI\_806/2025) at € 1.5 million, resulting in a total value of the proceedings in the amount of € 2.5 million.*
  2. *The parties shall inform the Court via CMS, by 28 October 2026 (...), whether an agreement was reached (and its terms) regarding the recoverable costs.*
  3. *Should the CoA confirm the Procedural Order dated 17 August 2026, and should such a final order be issued before 3 November 2026, the date of the OH, set at 3 November 2026, is maintained.*
  4. *Should a final order be issued by the CoA before the OH and such order would overturn the Procedural Order dated 17 August 2026, a follow-up IC will be organized (preferably) within two working days of such final order. During the follow-up IC, the Judge-Rapporteur will discuss the boundaries within which YEALINK is permitted to exercise its right of defence, and whether this would jeopardise the OH set for 3 November 2026.*
  5. *Should no final order be issued by the CoA before 27 October 2026, a follow-up IC will be organized on 28 October 2026 (...) to discuss the whether the oral hearing should be postponed awaiting such final order.*
  6. *Even if a follow-up IC needs to be organised (see points 4 and 5 of this order), the points 1 and 2 of this order are final and must be adhered to by the parties involved.*

## **II. CONFIRMATION OF ORAL HEARING SET ON 3 NOVEMBER 2026 AND TIME FRAME ORAL PLEADINGS**

3. On 16 October 2026, the Court of Appeal UPC issued a final order confirming the procedural order issued by the Court dated 17 August 2026 (UPC\_CoA\_145/2026). In its 17 August 2026 procedural order, the Court dismissed BARCO’s “*Application for Leave to Amend the Patent pursuant to Rules 30.2 and 263 RoP*”. Based on the CoA confirmation of the procedural order dated 17 August 2026, AR6 is not permitted in the UPC proceedings. Therefore, no further written pleadings are deemed necessary.
4. The interim phase will be closed and, in application of *Procedural Order IC 1* (point 3), the oral hearing will be organized on 3 November 2026.

5. As a material mistake was made regarding the timing of the pleadings in *Procedural Order IC 1* and after having received additional comments from the parties, the Judge-Rapporteur readdresses “I.E. *Timeframe for the Oral hearing*” of his *Procedural Order IC 1* as follows:

The following will be used as guidelines for the oral hearing, based on the proposals made in the Agenda regarding the timeframe for the oral hearing:

#### Guideline 1

The parties expressed their preference for the Court to provide a preliminary (non-binding) opinion on some or all of the issues to be assessed.

If a preliminary (non-binding) opinion is expressed, the parties will be given 30–45 minutes to restructure their pleadings based on the timeframe adopted after the preliminary non-binding opinion is delivered.

#### Guideline 2

If no preliminary (non-binding) opinion is expressed, the Judge-Rapporteur discussed with the Parties the timeframe to be adapted and, as mentioned, later comments were received from the parties. The following timeframe is set by the Court as a guideline:

| Action                                                                                                   | Maximum Term |
|----------------------------------------------------------------------------------------------------------|--------------|
| Administration and Technical checks                                                                      | 5 min        |
| Introduction by the Court                                                                                | 15- 30 min   |
| Presentation and interpretation of the parties and the Patent by BARCO + BARCO on Claim Construction     | 30 min       |
| Presentation and interpretation of the parties and the Patent by YEALINK + YEALINK on Claim Construction | 30 min       |
| YEALINK on invalidity (including auxiliary requests)                                                     | 45 min       |
| BARCO on validity (including auxiliary requests)                                                         | 45 min       |
| <i>Pause</i>                                                                                             | <i>TBD</i>   |
| Rebuttal YEALINK and Reply BARCO on validity                                                             | 30 min/party |
| Questions by the Court                                                                                   |              |
| <b><i>lunchbreak</i></b>                                                                                 | <i>TBD</i>   |
| BARCO on Infringement (including requests/relief)                                                        | 60 min       |
| YEALINK on infringement (including requests/relief)                                                      | 60 min       |
| Reply BARCO and Rebuttal YEALINK                                                                         | 15 min/party |
| Questions by the Court                                                                                   |              |
| Closing remarks by the Court (setting date for decision)                                                 |              |

The parties were informed that the timetable may be adapted based on (i.a.) the Court's questions. Parties are informed that if questions are raised during the pleadings, this will not affect their total pleading time on an issue.

6. Parties are informed that all other practical guidelines set in the *Procedural Order IC 1* remain applicable.

7. Parties remain invited to inform the Court the latest by 28 October 2026 whether an agreement was reached among them regarding the recoverable costs (see §2 Point 2 above).

## II. ORDER

The Judge-Rapporteur orders that:

1. The value of the infringement action (UPC\_CFI\_806/2025) is set to € 1 million and the value of the counterclaim (UPC\_CFI\_806/2025) at € 1.5 million, resulting in a total value of the proceedings in the amount of € 2.5 million (see *Procedural Order IC 1*).
2. By 6 pm on 28 October 2026, the parties are instructed to inform the Court via CMS whether an agreement has been reached regarding the recoverable costs, and if so, what the terms are.
3. The date of the oral hearing is confirmed as 3 November 2026. During this hearing, the parties are instructed to adhere to the timeframe set by the Judge-Rapporteur under § 5 of this order.

Issued by the Judge-Rapporteur on 19 October 2026

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|--------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Samuel GRANATA<br>Judge-Rapporteur<br>Presiding Judge LD Brussels<br><br>Legally Qualified Judge | <b>Samuel Rocco<br/>M Granata</b><br> Digitally signed by Samuel<br>Rocco M Granata<br>Date: 2026.10.19 08:18:26<br>+02'00' |
|--------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|