



Paris Local Division
UPC_CFI_1913/2026
& UPC_CFI_3369/2026

**Procedural Order of the Court of First Instance
of the Unified Patent Court
issued on 22 October 2026
(R.19.7 & R.361 RoP)**

APPLICANT

VALEO ELECTRIFICATION SAS
14 avenue des Béguines 95800
Cergy, France

Represented by Thierry LAUTIER,
BIRD & BIRD AAPI

RESPONDENTS

1. SEG Automotive France SAS
126 Rue de Stalingrad, 93700
Drancy, France

Represented by Thibaut LELONG,
FIDAL STRASBOURG

2. SEG Automotive Germany GmbH
Lotterbergstraße 30,
70499 Stuttgart, Germany

3. SEG Automotive Spain, S.A.U.
Carretera General 185,
39760 Adal-Treto,
Bárcena de Cicero (Cantabria), Spain

4. SEG Automotive Italy S.r.l.
Via Amedeo Avogadro 26,
Turin, postcode 10135, Italy

5. [REDACTED]
[REDACTED]
[REDACTED]

6. [REDACTED]
[REDACTED]
[REDACTED]

7. [REDACTED]
[REDACTED]
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8. [REDACTED]
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DISPUTED PATENT

Patent No. *Patentee*

EP4128486 Valeo Electrification

PRESIDING JUDGE:

Judge: rapporteur Carine Gillet

LANGUAGE OF THE PROCEEDINGS: French

ORDER

1. VALEO ELECTRIFICATION (hereinafter 'VALEO') brought proceedings for infringement of its patent (UPC_CFI_1913/2026) before the Paris Local Division, by way of a statement of claim dated 29 May 2026, against companies belonging to the SEG group and certain individuals.
2. By notice via CMS on 10 July 2026, the reporting judge confirmed that the effective service of the statement of claim was set for 18 June 2026, in accordance with an agreement between the parties.
3. On 18 September 2026, the defendants filed their statement of defence and a counterclaim seeking revocation of the patent (UPC_CFI_3369/2026). In it, the defendants also raise the issue of the Unified Patent Court's (UPC) lack of jurisdiction in respect of alleged acts of infringement committed in Spain (paras. 205–212, pages 43 and 44).
4. By application dated 2 October 2026, VALEO makes the following submissions: Having regard to Rules 19 and 361 of the RoP,
 - To declare that Respondents 1 to 8 are deemed to have accepted the jurisdiction of the Court and of the Paris Local Division in respect of all claims made by VALEO.Consequently,
 - Ruling that the application by SEG (Respondents 1 to 8) seeking a declaration that the UPC lacks jurisdiction to rule on the claims relating to acts committed in Spain is manifestly inadmissible;
 - To dismiss the said application by order.

5. In response to the request made by the reporting judge in a communication dated 5 October 2026, the Defendants requested on 16 October 2026 that the reporting judge:
 - Dismiss the application filed by the Claimant on 2 October 2026;
 - Declare that Defendants 1 to 8 are not deemed to have accepted the Court's jurisdiction in respect of the alleged acts committed on Spanish territory.
 - Order the Claimant to bear any costs.

GROUNDINGS FOR THE ORDER

6. In support of its application, VALEO argues that SEG's request, made on 18 September 2026 in its statement of defence, seeking a declaration that the UPC lacks jurisdiction in respect of the alleged acts of infringement committed in Spain and the dismissal of claims Nos. 16 et seq. of the operative part of the Statement of Claim in respect of the Spanish part of the patent in dispute, is manifestly inadmissible as out of time, having failed to be raised as a preliminary objection within the one-month period following service of the Statement of Claim, as provided for in Rule 19.1 of the Rules of Procedure. VALEO concludes that SEG is deemed to have accepted the jurisdiction of the UPC in respect of these acts.
Relying on the provisions of Rule 361 of the Rules of Procedure (RoP), VALEO therefore requests that the Court declare this claim inadmissible and dismiss it, in order to avoid any unnecessary and costly proceedings.
7. Citing Article 26 of the Brussels I bis Regulation and the relevant case law, according to which the jurisdiction of a court must be raised at the time of the first defence submitted by the defendant appearing in court, SEG responds that the failure to lodge a preliminary objection in accordance with Rule 19 of the RoP cannot constitute tacit acceptance of the jurisdiction of the UPC (UPC Court of Appeal, 27 March 2026, UPC_CoA_420/2025, paragraphs 55 et seq.) and requests that the application be dismissed. Furthermore, the plea of lack of jurisdiction is not manifestly inadmissible, having regard to the provisions of Rule 361 of the RoP.
8. As stated by the Court of Appeal (CoA, 27 March 2026, UPC_CoA-420/2025, NUC-HUROM, paras. 48–57), the international jurisdiction of the UPC is, in accordance with Article 31 of the Agreement on the UPC, governed by the Brussels I bis Regulation 1215/2012. According to Article 26 of that text, relating to the extension of jurisdiction, the court of the Member State before which the defendant has appeared has jurisdiction, subject to a positive act on the part of the defendant indicating a deliberate choice on their part regarding jurisdiction. Mere access to the UPC file, prior to any active steps or defence, is not sufficient to establish the defendant's deliberate choice regarding the jurisdiction of the UPC. The filing of a preliminary objection pursuant to Rule 19 of the RoP, or, failing that, the filing of a statement of defence pursuant to Rule 23 of the RoP, including a challenge to the jurisdiction of the UPC, constitutes a positive act on the part of the defendant appearing before the court, such that this challenge precludes the extension of jurisdiction provided for in Article 26(1) of the RoP.

Thus, irrespective of the provisions of Rule 19.7 of the RoP, tacit acceptance of the jurisdiction of the UPC under Article 26(1) of the RoP Regulation cannot be established where the defendant challenges, in its statement of defence, the jurisdiction of the UPC without having first raised a preliminary objection.

9. In the present case, SEG did not raise a preliminary objection within one month of the effective service of the statement of claim, but invoked, in its statement of defence, a plea of lack of jurisdiction. SEG was perfectly entitled to do so, and Rule 19.7 of the Rules of Procedure could not be invoked against it.
10. Furthermore, this application is not manifestly doomed to failure within the meaning of Rule 361 of the RoP.
11. VALEO's application must therefore be dismissed.
12. The costs and expenses relating to this application will be dealt with as part of the proceedings on the merits.

FOR THESE REASONS,

The Reporting Judge

- Dismisses VALEO's application seeking a declaration that the plea of lack of jurisdiction relating to the alleged acts of infringement in Spain is inadmissible,

-Holds that there is no need to rule on costs and expenses at this stage.

Done and issued on 22 October 2026

Carine Gillet, Reporting Judge

 22 October 2026
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This order may be reviewed by the panel in accordance with Rule 333 of the Rules of Procedure.

DETAILS OF THE ORDER

UPC_CFI_1913/2026

Type of action: Infringement action Related

proceedings: UPC_CFI_3369/2026

Details of the order: inadmissibility – plea of lack of jurisdiction Date of the order: 22/10/2026