Unified Patent Court
Einheitliches Patentgericht
Juridiction unifiée du brevet

Paris Local Division

UPC_CFI_702/2024
UPC_CFI_369/2025
Decision on the merits
of the Court of First Instance of the Unified Patent Court, delivered on
*January 16, 2026*

HEADING:

1. The European patent, which has become unitary and has been unconditionally amended, takes effect on the date of grant of the European patent.

2. Infringement of the national part of the European patent granted by a State outside the UPC must be assessed in relation to the patent as initially granted. The patent in dispute presents a significant risk of being revoked by the courts of the State of grant after unconditional amendment of the unitary patent.

3. The person skilled in the art is merely an executor. A document that is not accessible to the public does not belong to the common general knowledge.

KEYWORDS:

Amended unitary patent, Effective date of limitation, European patent outside the UPC maintained as granted, Person skilled in the art, Common general knowledge and documents accessible to the public.

APPLICANT

| | |
|---|---|
| IMC Créations<br>Parc des Essarts<br>42160 - Andrézieux-Bouthéon - FR | Represented by Renaud GAGLIONE<br>and Henri BOURGEOIS |

DEFENDANT

| | | |
|---|---|---|
| Mul-T-Lock<br>4 avenue d'Ouessant, Bât E<br>91140 - Villebon-Sur-Yvette - FR | France | Represented by Stanislas ROUX-VAILLARD<br>and Adrien BONNET |

PATENT SUBJECT OF THE DISPUTE

| *Patent number* | *Owner(s)* |
|---|---|
| **EP4153830** | IMC Créations |

COMPOSITION OF THE CHAMBER

| | |
|---|---|
| President | Camille Lignieres |
| Rapporteur | Carine Gillet |
| Judge qualified in legal matters | Rute Lopes |
| Judge qualified in technical matters | Michel Abello |

*LANGUAGE OF THE PROCEEDINGS:* French

*SUBJECT OF THE PROCEEDINGS*: Action for infringement and counterclaim for invalidity

*DECISION*

The parties involved

1. IMC Créations is a French company founded in 2009, specializing in anti-theft systems for vehicles, particularly commercial vehicles. Among other things, it sells locks for the side and rear doors of commercial vehicles.

2. Mul-T-Lock France is a subsidiary of the Israeli company Mul-T-Lock Technology Ltd, founded in the 1970s and belonging to the Assa Abloy group, which presents itself as a specialist in high-security locking and access control systems, in particular pick-resistant keys and locks, for which it claims to hold numerous patents. It states that it has designed and marketed for around ten years a product called Arma-D-Lock (now known as "ArmaLock" or "MVP2000"), a high-security lock fitted to two pillars of commercial vehicles, which incorporates a patented MTL 300 cylinder belonging to the company. This product has been developed into a simpler and less expensive product, the MPV 1000 padlock, which is the subject of the dispute and is marketed by Mul-T-Lock France, whose main activity is the wholesale of hardware, via its website.

Facts and procedure

3. In a brief dated November 20, 2024, IMC Créations initiated proceedings for infringement of claims 1, 2, and 7 of patent EP 4 153 830 (hereinafter "EP'830"), which has become a unitary patent, belonging to it, before the Paris Local Division of the Unified Patent Court (hereinafter the "UPC"), against the French company Mul-T-Lock France and the company Mul-T-Lock Switzerland (UPC_CFI_702/2024).

4. On March 21, 2025, the Court rejected the preliminary objection filed on February 27, 2025, relating to the territorial jurisdiction of the UPC to hear the case in Switzerland, Spain, and the United Kingdom.

5. IMC Créations' withdrawal from the case against the Swiss branch Mul-T-Lock Suisse was noted, following an order dated March 28, 2025.

6. On August 6, 2025, the request for inadmissibility of certain arguments developed in IMC Créations' second brief of June 25, 2025, was rejected.

7. On June 25, 2025, IMC Créations filed a response to the defense brief and the request for patent invalidation and requested an unconditional amendment to the patent, citing, on the one hand, infringement of claims 1 and 6 after limitation in countries where the patent has unitary effect or, alternatively, infringement of claims 1 and 6 as amended in accordance with auxiliary requests 1 to 3, and, on the other hand, infringement in Switzerland of patent claims 1, 2, and 7, as granted.

8. IMC Créations filed its final brief on September 22, 2025.

9. On April 25, 2025, Mul-T-Lock France (hereinafter "Mul-T-Lock") replied and filed a counterclaim seeking the invalidity of the patent (UPC_CFI_369/2025) and filed its pleadings on August 22, 2025, and October 22, 2025, pursuing the invalidity of the amended patent and contesting any infringement.

10. The pre-trial proceedings were closed on November 20, 2025.

The parties' claims

11. IMC Créations continues to sell the MVP 1000 product in France and Switzerland, alleged to be counterfeit by Mul-T-Lock France, via online retailers such as France Cadenas and Amazon France, as well as the sale, via a catalog downloadable from the Mul-T-Lock Switzerland website, to professionals who are themselves responsible for reselling them to end consumers located in Belgium, Germany, Italy, Sweden, the Netherlands, Poland, and Spain.

12. In its latest set of claims, IMC Créations requests the Court to: On the claim

of infringement

1. Find that the disputed MVP 1000 falls within the scope of protection conferred by claims 1 and 6 as amended in accordance with the main claim, or failing that, the first alternative claim, or failing that, the second alternative claim, or failing that, the third alternative claim, submitted in the statement of defense to the counterclaim for invalidity (see paragraphs [24] and [24bis]);

2. Find that the defendant or the defendant's Swiss branch knowingly offers to sell and sells the disputed item on French or Swiss territory to professionals (see paragraphs [26] and [30]);

3. Issue a permanent injunction against the defendant, prohibiting the continuation of any act of infringement and, more specifically, the importation or possession, in France or Switzerland, of any copy of the disputed MVP 1000 product, as well as the offering for sale and sale to any professional within the meaning of the defendant's General Terms and Conditions of Sale or the defendant's Swiss branch, including any online retailer (see paragraph [27]);

4. Issue an order concerning the following measures (see paragraph [28]):

- A declaration of infringement;

- The sending, by the defendant and under the supervision of a bailiff, of a copy of the declaration of infringement to any professional within the meaning of the defendant's General Terms and Conditions of Sale or the defendant's Swiss branch, including any online retailer, which offers for sale and sells the disputed MVP 1000 product, whether domiciled in France, Switzerland, or abroad;

- The recall, by the defendant and under the supervision of a bailiff, of copies of the disputed MVP 1000 product, delivered to order by the defendant since November 1, 2023, and held by any professional within the meaning of the defendant's General Terms and Conditions of Sale or the defendant's Swiss branch, including any online business, in the absence of agreement between the defendant and the plaintiff, according to which the professional within the aforementioned meaning, including the online retailer, is authorized to sell the copies of the disputed MVP 1000 product held, subject to payment of compensation to the plaintiff between the defendant and the plaintiff;

- The recycling, by the defendant and under the supervision of a bailiff, of the recalled copies, in the absence of an agreement between the defendant and the plaintiff to sell these copies in exchange for compensation;

5. Issue an order requiring the disclosure of information on the following points (see paragraph [29]):

- The identity of any third party, domiciled in any of the States in which the European patent has unitary effect, and responsible for the manufacture, assembly, or importation of the disputed MVP 1000 object;

- The identity of any third party, regardless of the State in which they are domiciled, responsible for offering for sale or selling the disputed MVP 1000 product, accessible to or intended for consumers domiciled in any of the States in which the European patent has unitary effect or in Switzerland;

- The number of copies of the disputed MVP 1000 item delivered to order by the defendant to any professional within the meaning of the defendant's or the defendant's Swiss branch's general terms and conditions of sale, including any online retailer, since the European patent was granted on November 1, 2023, regardless of the domicile of such professional, as well as the turnover generated by the sale of such copies;

6. Order the award of damages in the form of a lump sum corresponding to a license fee, calculated on the basis of the turnover generated by the sale of copies of the disputed MVP 1000 product, delivered to order by the defendant or by the defendant's branch, to any professional within the meaning of the defendant's or the defendant's branch's general terms and conditions of sale, including any online business, since the granting of the European patent on November 1, 2023, regardless of the domicile of such professional, applying a royalty rate greater than or equal to 15%;

7. Dismiss the claim for the costs of the defense in the infringement proceedings infringement proceedings,

8. Order the defendant to pay the legal costs, based on an estimate provided by the plaintiff at the pre-trial conference on November 14, 2025.

<u>On the counterclaim for invalidity</u>

1. Pursuant to Article 138(3) of the European Patent Convention, together with the article of the Agreement on the Unified Patent Court and Rule 30, limit the European patent in accordance with the main claim (see paragraph [5]);

2. In the alternative, limit the European patent in accordance with the first auxiliary request (paragraph [14]);

3. In the further alternative, limit the European patent according to the second auxiliary request (see paragraph [15]);

4. In the further alternative, limit the European patent according to the third auxiliary request (see paragraph [16]);

5. Declare that claims 1 and 6 as amended according to the main request, or otherwise the first auxiliary request, or otherwise the second auxiliary request, or otherwise the third auxiliary request, define a patentable invention within the meaning of Article 52(1) of the European Patent Convention, the requests being filed unconditionally (see paragraphs [7]-[10]);

6. Reject the grounds for invalidity raised by the defendant against claims 1 and 6 as amended according to the main request, or the first auxiliary request, or the second auxiliary request, or the third auxiliary request, as unfounded (see paragraphs and [13]);

7. Find that the requests filed by the applicant as main or auxiliary requests to amend European patent EP 4 153 830 affect only those states in which the European patent has unitary effect (see paragraph [17]);

8. Find that, for its effects in Switzerland, European patent EP 4 153 830 is as granted (see paragraph [17]);

9. Declare that the scope of protection conferred by European patent EP 153 830 is determined, as of November 1, November 2023, the date of grant of the patent, by claims 1 and 6 as amended according to the main request, otherwise the first auxiliary request, otherwise the second auxiliary request and otherwise the third auxiliary request, for its unitary effect, and by claims 1, 2 and 7 of the European patent as granted, for its Swiss effect (see paragraphs [5], [14], [15], [16] and [17]);

10. In relation to the main claim, base the infringement action on claims 1 and 6 as amended in accordance with the main request, otherwise the first auxiliary request, otherwise the second auxiliary request and otherwise the third auxiliary request, for the states in which the European patent has unitary effect, and on claims 1, 2 and 7 of the European patent as granted, for its effects in Switzerland (see paragraph [18]);

11. Dismiss the claim for costs of the counterclaim for invalidity proceedings.

13. Mul-T-Lock, maintaining its previous claims, makes the following claims in its brief of October 22, 2025:

On the infringement action

-Dismiss all of the plaintiff's claims, requests, and conclusions in the infringement action;

-Order the plaintiff to bear the costs of the infringement proceedings; On the

counterclaim for invalidity

-Declare claims 1 and 6 of patent EP 4 153 830 as a unitary patent, as amended in accordance with the main request and the auxiliary requests, to be invalid

-Order the entry of the decision to be made in the European Patent Register;

-Order the applicant to bear the costs of the counterclaim for invalidity;

In the alternative,

-Limit the scope of the measures ordered in accordance with the terms set out in sections 7.2 to 7.4 of the Statement of Defense and, in particular:

- o Declare that the measures ordered shall only take effect once the final decision has been made or, at the very least, at the end of a period of three months from the date of the decision to be made;
- o Limit the territorial scope of the measures ordered, at most, to the States in which EP 830 has unitary effect;
- o Dismiss the request relating to the sending of letters;
- o To say that the information measure can only concern, at most:

-The products allegedly sold or delivered by the defendant in the states where EP 830 patent has unitary effect; and

-The identity of the professional third parties to whom these products were allegedly sold or delivered by the defendant in the states in question.

-To state that the information to be disclosed will only be disclosed to a single person representing the plaintiff, who has previously signed an appropriate non-disclosure agreement to be agreed between the parties, in accordance with Rules 191 and 190(1) RoP;

-Take note that no claim for damages is being made at this stage of the proceedings; and

-Declare that no damages may be owed by the respondent for acts committed prior to the entry into force of the main application (or, where applicable, the subsidiary applications).

**REASONS FOR THE DECISION**

**I. The patent in question**

**A-Presentation of the patent**

14. IMC Créations is the owner of patent EP'830, entitled "*lock comprising a slide flush with a base plate provided with a recess for receiving a slide translation stop*," which was filed on June 21, 2021, granted on November 1, 2023, under the priority of French patent application FR 2 006 711, filed on June 26, 2020. On November 8, 2023, patent EP'830 acquired unitary effect as of November 1, 2023, and the European patent was also maintained in force in the United Kingdom, Spain, and Switzerland. The patent as granted comprises eight claims, including the main independent claim 1 and dependent claims 2 to 8, as well as ten figures.

15. The patent relates to a single-sole lock [0007] and [0017], fixed to a fixed panel of a vehicle door [0032], comprising a sole and a slider, guided in translation relative to each other by guide means. The slider has a bearing surface and a recess relative to the bearing surface to form a translation stop in one of two positions: extended (lock closed position) or retracted (lock open position) [0002]. The base cooperates with a retractable finger of a locking means carried by the slide to lock the lock in the retracted or extended position [0039] and a translation stop opposite the step of the locking means to form a stop in the other position [0001].

16. The purpose of the invention is to facilitate the fastening of the sole and improve the precision of the slide lock ([0005], [0007], [0032] lines 34 to 37) in order to overcome the disadvantages of the locks of the prior art, which have other arrangements, some being fixed to a support by means of rivets, according to an assembly from the outside (i.e., from outside a vehicle) on a two-part sole; others featuring a retractable finger and a translation stop carried by the base plate; others whose span is flush with the mounting base of the single base plate [0002 to 0004].

17. In the patent, the stop is flush with a single sole fixing base to ensure precise locking, while the translation stop is received in a recess in the sole to block the translation of the slide, allowing the slide to be inserted into the sole guide means after the sole has been fixed to the support [0005 to 0008]. Depending on the different embodiments, the translation stop in the extended position is retractable perpendicularly [0009] or retractable in the sliding plane [0010] or integrated or attached to the slide [0011]. The patent lock allows assembly or disassembly between the slide and the sole by simply sliding along the guide means and fixing to the frame outside the vehicle to lock the door [0012], [0032] lines 34 to 37).

18. During the present proceedings, the applicant has made an unconditional amendment to the patent. Claims 1 and 6, as limited, unconditionally read as follows, according to the division adopted by the parties:

- Claim 1 (the underlined features are those taken from the description and claim 2, which has been deleted):

  "1.1 Lock comprising a single base plate (1) and a slide (3), guided in translation relative to each other by guide means (5, 7, 6, 8, 9, 11, 13, 15) between two positions, one called extended and the other called retracted,
  1.2 the slider comprising a bearing surface (27) which extends in a sliding plane defined by the guide means (5, 7; 6, 8; 9, 11; 13, 15)
  1.3 and a step (31) relative to the bearing surface (27), forming a translation stop in one of the two positions,

1.4 the sole cooperating with a retractable finger (17) of a locking means (43) carried by the slide (3) to lock it in the extended position and in the retracted position,
1.5 the slide (3) comprising, opposite the step (31) relative to the retractable finger (17) of the locking means (43), a stop (46) for translation in the extended position,
1.6 the span (27) being flush with a fixing base (29) of the sole (1),
**characterized in that:**

1.6.1 the flush bearing surface (27) is integrated into the slide (3) and

1.6.2 the stop (46) is retractable perpendicular to the sliding plane and

1.7 is received in a recess (39) in the sole (1).

- Claim 6 (ex 7):

  "Latch according to claim 1, 3, or 5, characterized in that the base plate (1) is provided with holes (37) comprising a shoulder (36) opposite the fixing base (29) of the base plate (1) and intended to receive a rivet head (52)."

- Subsidiary request 1 (addition to Claim 1):

  (…)

  1.8 to block the translation of the slide (3) relative to the base plate (1) in the extended position

- Subsidiary request 2 (addition to Claim 1):

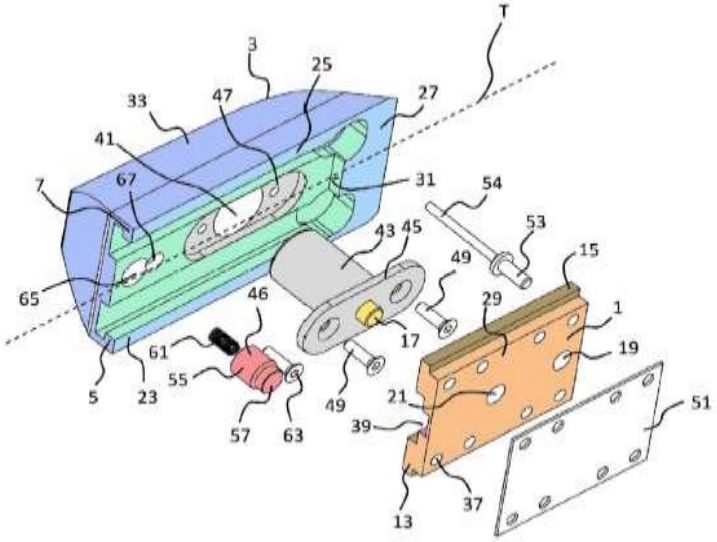
  (….)

  1.9 open at one end of the base plate (1), in the direction of translation.

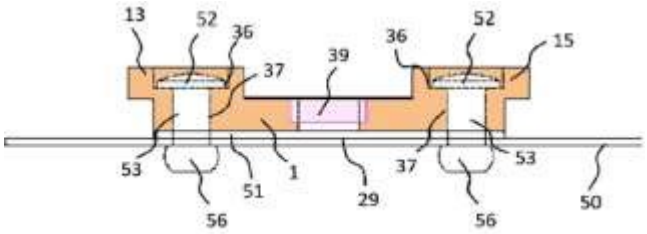
- Subsidiary request 3 (combination of Subsidiary request 1 + Subsidiary request 2)

19. Figures 1 and 7 below have been colored by the defendant to facilitate understanding.

[Fig. 0001]

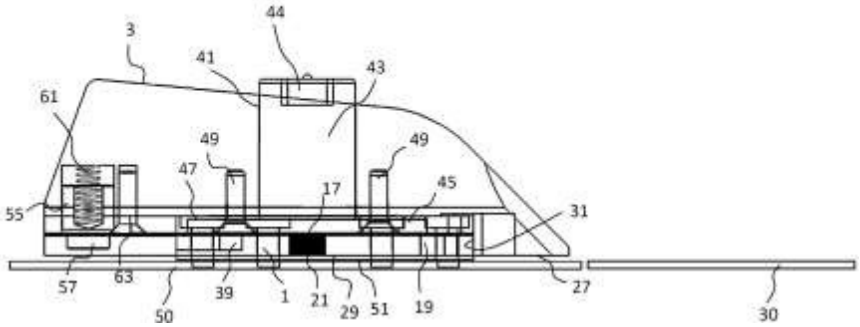



[Fig. 0007]

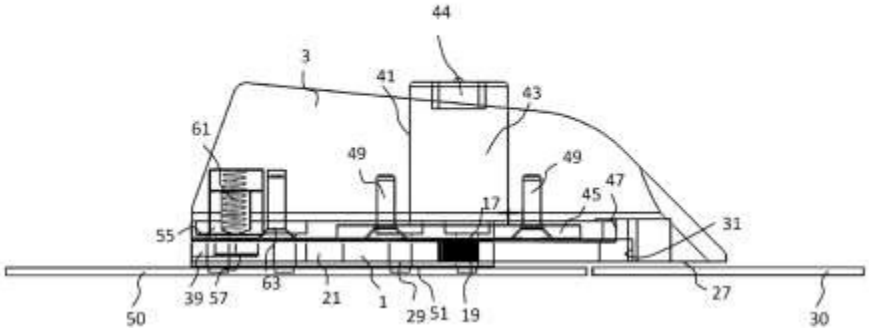



20. Figures 2 and 3 show the retracted and extended positions of the slide, respectively [0013].

[Fig. 0002]



[Fig. 0003]




**B- The person skilled in the art**

21. The skilled person is someone working in the technical field in which the problem arises that the invention, which is the subject of the patent, proposes to solve. They have basic technical knowledge and average skills, and are capable of carrying out routine operations in line with their general knowledge and that of their field of activity and the state of the art. They are an executor who implements the teachings but does not have the ability to modify the operating principles of a machine. They are an average expert who has undergone standard training and acquired average practical skills and experience to perform routine tasks.

22. When interpreting a patent claim, the skilled person does not apply a philological understanding, but determines the technical meaning of the terms used with the help of the description and drawings (DC Paris, January 22, 2025, UPC_CFI_310/2023, point 40: "*The skilled person stands for the average expert who is typically active in the technical field of the invention, has had the usual prior training and has acquired average knowledge, skills and practical experience for routine work*"). According to the Court of Appeal, the skilled person has no inventive capacity or imagination and needs an indication or motivation which, starting from a realistic starting point, guides them towards the implementation of a next step in the direction of the claimed invention (CoA, decisions of November 25, 2025, UPC_CoA_528/2024, *Amgen v. Sanofi-Aventis* and UPC_CoA 464/2024, *Meril v. Edwards,* respectively points 132 and 136: "*The skilled person has no inventive skills and no imagination and requires a pointer or motivation that, starting from a realistic starting point, directs it to implement a next step in the direction of the claimed invention* [...]".

23. In this case, the parties disagree slightly on the definition of a person skilled in the art. According to the applicant (brief of September 22, 2025, page 25), a person skilled in the art would be a mechanic with a good knowledge of mechanisms combining mainly metal components. On the other hand, a locksmith does not appear to correspond to the person skilled in the art, as they specialize mainly in the field of lock barrels and key cylinders, elements that are not central to the claimed invention.

24. Mul-T-Lock considers (brief of April 25, 2025, page 27) that the person skilled in the art can be defined as an engineer specializing in locksmithing, with particular experience in the field of surface-mounted locks designed to secure vehicles.

25. In this case, given the technical field of the patent, which relates to a "*lock*" fitted, for example, to the rear tailgate of a motor vehicle and which involves a mechanism of moving parts, the person skilled in the art is, in this case, a mechanical engineer with expertise in the mechanisms of moving parts, as well as knowledge of surface-mounted locks.

**C- Interpretation of the patent**

26. The lock comprises a "*single base plate*" (feature 1.1), consisting of a single element, and a slide, which cooperate with each other in translation by means of guide means, in particular slides 5, 7 of the slide 3 and rails 13, 15 of the base plate 1. The single sole is fixed to a single fixed panel 50 of the vehicle door. It eliminates the need for delicate alignment operations between the sole and a strike plate to be fixed to a movable panel 30 relative to a fixed panel ([0032] lines 34 to 37). It differs from the two-piece sole (which has one part fixed to the frame and a second part fixed to the opening and forms a strike plate, and the two parts must be aligned with each other). Even though the patent states that the guide means are "*carried by the sole plate*" [0015], it is clear from Figures 1, 4, and 8 that the guide means 13 and 15, 9 and 11 are included in the sole plate, which may be a single piece. Mul-T-Lock cannot therefore argue that the sole consists solely of the inner surface of the sole, excluding the guide means, especially since the defendant colors the guide means together with the single sole (e.g., Mul-T-Lock's brief of April 25, 2025, figures on pages 23 and 24).

27. The slide includes a "*span 27*" that extends in the sliding plane defined by the guide means (feature 1.2) ([0001] line 7; [0006] lines 29-31). This span may be substantially in the same plane as the panel to which the base plate is attached, or raised. According to feature 1.6 interpreted below, the span is flush with the base plate attachment base and is not raised, unlike the prior art described in [0002 and 0003].

28. coulisseau (or la portée du coulisseau ([0019] lines 23-24) comporte un "*offset 31*" (feature 1.3) relative to the span that forms a stop in translation, according to the patent, in one of two positions ([0001] lines 9-11) or in the retracted position ([0008] lines 53-54] and, according to feature 1.3, in "*one of the two positions*" extended (locking position) or retracted. The counterpart to the notch is the retractable stop 46, which forms a stop in the extended position, so that it appears that the notch 31 forms a stop only in the retracted position. The notch and stop located at each end of the guide means prevent the slide from becoming detached from the base when it is handled.

29. The slider carries a locking means equipped with a retractable finger 17, which cooperates with the base (feature 1.4) ([0001] lines 11-14, [0006] lines 33-38) and is located between the notch 31 and another stop 46 for translation in the extended position. The retractable finger locks the slide in both the extended and retracted positions ([0022]; [0023] line 58 and L.1-2 column 5) by engaging (for example) the retractable finger in the perforations 19 (extended position) or 21 (retracted position) of the base, respectively.

30. The "*stop 46 in the extended position*" (feature 1.5), located opposite the notch 31, may be, in the prior art, a retractable screw ([0002] line 21) or a fixing screw attached to the base plate ([0004] lines 15-16). The parties disagree on the function of the stop, which, according to the defendant, ensures complete locking, or, according to the plaintiff, simply immobilizes up to a certain threshold. According to [0026], a locking means may form a stop in the extended position. However, it is not the term "*locking means*" that is used in the claim, but the broader term "stop." However, the usual technical definition for a person skilled in the art, who for the record is a mechanic with expertise in the mechanisms of moving parts, of the term "*stop*" is to "*stop or limit*" the movement of a part that comes into contact with the stop. and since the claim does not impose any limitation on the function of the stop, it must be interpreted, without restriction, as having the function of stopping or limiting the mechanism. Furthermore, the claim does not limit the shape of the stop, which may be in the form of a head with a shoulder ([0028] and Figure 1 of the patent) or a ball, provided that it performs the aforementioned function for which it is intended. At the hearing, the applicant argued that the stop should be interpreted as a limit stop. However, the claim does not specify that it is a limit stop. On the contrary, the conditional limitation according to auxiliary requests 1 and 3, which specifies that this stop is used "to block the translation of the slide (3)," confirms that the stop according to claim 1 of the main request has a broader scope and is not limited to a blocking means.

31. The slide includes a "*surface that is flush with a base for attaching the sole*" ([0006] lines 39-40) according to feature 1.6. It ensures precise locking in a single-sole application ([0007]) and prevents the introduction of foreign objects, or even vandalism tools, between the slider and the sole ([0019] lines 30-32). The term "*flush*" means that the slide's bearing surface 27 and the sole's attachment base 29 extend in the same plane [0017]. The fixing base 29 is not precisely defined in the patent. However, it can be understood from the figures and [0024] that it is the lower part of the sole (the base) that is fixed to the door panel, with a sealing wedge 51 possibly inserted between them.

32. As stated in the patent ([0009]; [0010]), the "*27-inch reach [is] integrated into the slide 3*" (feature 1.6.1) or retractable relative to the slide base 33 ([0018]). The arm is an integral part of the slide or can be retractable, as shown in Figure 9 of the patent specification. This feature 1.6.1 does not duplicate feature 1.2, contrary to Mul-T-Lock's assertions that the arm is necessarily integrated into the slide, since it can also be retractable. However, by not including the "*retractable*" feature in the claims, the patentee limited the scope of the patent to a one-piece range.

33. The "*stop 46 is retractable*" ([0002]; [0009] or retractable ([0010] to [0012]; [0027]; [0030]). However, feature 1.6.2 claims only a "*retractable*" stop, so that embodiments with a retractable stop are no longer part of claim 1. They are now protected independently by the new independent claim 3, without the defendant raising any objection. This stop allows the sole plate to be fixed to a support prior to insertion of the slide into the guide means. It can be mounted from the outside ([002] and [0038]) on the fixed panel of the vehicle door.

34. Feature 1.7 relates to "*the stop 46 received in a recess (39, 40) in the base plate (1)*" ([0006] lines 40-41; [0007] line 45; [0008]; [0030] lines 12-13). The retractable locking means or stop is received in a recess 39 in the base when the slide is in the extended position ([0026]; [0029]) to form a translation stop in the extended position ([0035] lines 7 et seq. and Figures 3 and 6) and to lock the translation of the slide relative to the sole in the extended position ([0029]). This arrangement allows, in addition to the assembly and disassembly of the slide when the base is fixed to a panel, the protection of the locking means between the slide and the base and the maintenance of the two rear ends of the slide and the base in alignment in the extended position ([0030]).

35. The parties disagree on what constitutes a "*recess*."

36. According to IMC Créations (brief dated June 25, pages 29 et seq., pages 34 et seq.), this recess is a condition (and not an operation), consisting of any hollowed-out volume, including the space between the inner surface of the sole, the side walls of the sole forming the guide means, and the wall of a part (including a stud) protruding from the inner surface of the base, and this recess allows both the assembly and disassembly of the slide relative to the base ([0012] and [0044]), which excludes a groove or a closed cavity in the direction of sliding, which would make disassembly impossible. There is no need to adjust the recess to the dimensions of the stop to allow assembly and disassembly of the slide. At most, an adjustment, as suggested by the defendant, provides another advantage in terms of exposure to vandalism by reducing the size of the accessible housing at the rear of the lock. This need for adjustment is invoked by the defendant solely to avoid infringement.

37. This interpretation, according to Mul-T-Lock (brief of April 25, 2025, page 44, and brief of August 22, 2025, page 28), contradicts that adopted by the examiner in the context of the grant procedure, which distinguishes between a recess made in the sole and a simple stud serving as a stop. Furthermore, the recess is presented in the description as offering a specific technical advantage, ensuring that there is no opening at the rear of the slide except for the strict width of the stop, so that the term
"Hollowing out" within the meaning of the patent is necessarily linked to the technical effect that the patent attributes to this hollowing out. Indeed, the defendant considers that IMC Créations cannot extend the scope of the claim to a functional claim by focusing on the technical result obtained, regardless of the literal wording of the claim. According to Mul-T-Lock, the verb "*to hollow out*" corresponds to the action of removing material from a pre-existing block of material by digging into it, the space freed up having to be adjusted to the stop, in order to accommodate it, so that the cavity is completely filled by the stop, to prevent an open space remaining at the rear of the slider in the extended position, into which a tool could be inserted for vandalism. Thus, the recess referred to in the patent cannot be any volume between the guide rails, whereas the figures show a hollowed-out recess. It cannot be a stud as in the MVP1000 product. Furthermore, if the applicant's interpretation were accepted, it would expose the patent in dispute to a lack of patentability in view of prior art A2.

38. In this case, the excerpts from the Larousse and Le Robert dictionaries, submitted for debate, define hollowing out as both "the *state of being hollowed out*" and
"*the operation of emptying a cavity of its contents*."

39. The applicant rightly refers to the decision of the Enlarged Board of Appeal of the EPO (G2/88) according to which claims essentially relate to two categories, either a thing or an object, or an activity or a process.

40. The patent in question does not relate to a method of manufacturing the sole, but to its structure, so that a person skilled in the art will not interpret the word "recess" as referring to the operation by which the recess was formed. Rather, they will interpret it as a state, a synonym for "*housing*" or *"opening*." As the applicant rightly pointed out at the hearing, an opening in a building does not mean that the wall has been "opened" to create an opening, but generally refers to a space left free to accommodate a door or window.

41. Thus, within the meaning of the patent, the recess creates a space in the base plate to accommodate the stop, which interrupts the slide's travel on the guide rails in the extended position and allows the rear ends of the base plate and slide to be aligned. It also allows the slider to be inserted onto the base after it has been attached to the support, which facilitates the attachment of the base. More specifically, the patent states that "*this recess 39 extends in the direction of translation T*" ([00039]). Contrary to Mul-T-Lock's assertions and in the absence of any indication to the contrary in the patent specification, the recess is not limited to a space strictly fitted to the shape of the stop to receive said stop.

42. In particular, it is apparent from Figure 3 of the patent that, in the extended position, the stop is entirely housed in the recess, and that said recess extends in the direction of translation T over a length greater than the stop. The skilled person therefore understands that there is no need for this recess to be adjusted to the exact shape of the stop. Since the description does not mention the width or height of the stop or the recess, the skilled person has no reason to be concerned with these dimensions in order to achieve the desired technical effect.

43. The defendant deduces from the drawings that the stop has a width and height adjusted to those of the recess. However, this deduction is not obvious, especially since the stop is intended to move in translation in the recess 39, and an adjustment would not appear necessary to a person skilled in the art, as translation guidance is provided by the guide means of the base and the slide.

44. Furthermore, these drawings constitute different examples of embodiments to illustrate other advantages of the invention [0013], which therefore cannot limit the scope of the claim in the absence of clear and unambiguous disclosure. In addition, protection against vandalism is ensured by the scope of the slider flush with the base of the sole attachment [0019], and by the recess 39, which allows "*the two rear ends of the slider 3 and the sole 1 to remain aligned in the extended position, as illustrated in Figure 3 or Figure 6*" in order to "*protect the locking means 46 between the slider 3 and the sole 1*" [0029]. Thus, by precisely aligning the rear ends of the slide and the sole in the extended closed position (which is the position most susceptible to break-ins or vandalism), thanks to positioning in the direction of translation T of the stop in the recess in the base, only a narrow space, consisting of the recess, remains open at the rear of the lock and limits the introduction of a vandalism tool.

45. While it cannot be ruled out that a particular width and height of the recess may have an additional technical advantage in combating vandalism, this dimensioning is not mentioned in the patent or claimed and therefore cannot limit its scope.

46. On the other hand, the defendant presented two new arguments at the hearing. These arguments were admitted by the President at the hearing, as the elements are under debate and the adversarial principle is respected at this stage by the discussion at the hearing.

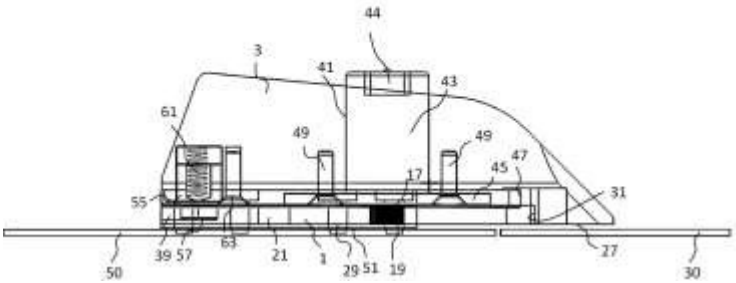
47. The first argument is that the head 57 of the stop 46 must be interpreted as being larger than the perforations 19 and 21 in the base, which are designed to cooperate with the locking pin ([0035]).

48. However, as the claimant rightly pointed out, claim 1 is not limited to a particular type of stop (or even a head) or to perforations in the sole, so these limitations do not apply to claim 1. These features are part of claims 2 and 7 of the limited version of the claims, which are not opposed by the defendant.

49. The second argument relates to the dimensions of recess 47 in base 33 of slide 3, which receives a fixing plate 45 of locking means 43, the dimensions of which in the drawings appear to be adjusted to those of recess 47 ([0021] and Fig. 1). The term "*recess*" is used twice in the patent for different elements, it must, according to the defendant, be interpreted in the same way.

50. However, this adjustment in the dimensions of recess 47 is not mentioned in [0021] and can at best be guessed from Figure 1, but without certainty. Since the fixing plate 45 "*is fixed by fixing means 49*" in the recess 47, the adjustment in size will not appear essential to a person skilled in the art. Therefore, a person skilled in the art will not draw any conclusions about the need to adjust the dimensions of recess 47, let alone adjust the dimensions of recess 39, whose role is very different because it is intended to receive a stop with freedom of movement, which seems rather to run counter to an adjustment. This interpretation applies equally to the assessment of infringement and the validity of the claim, particularly with regard to prior art A2, as pointed out by the defendant.

[Fig. 0003]




51. Feature 1.8 of Subsidiary Claim 1 relates to the stop "*for blocking the translation of the slide 3 relative to the base plate 1 in the extended position*." As indicated above (feature 1.5), the function of the stop (received in a recess) is to block or limit the translation of the slide relative to the base in the extended position ([0008] and [0036]). The added feature, which claims the blocking of translation, thus limits the scope of the patent and necessarily excludes a threshold immobilization stop (allowing immobilization up to the threshold value and movement beyond the threshold).

52. Feature 1.9 of auxiliary claim 2 reads as follows: [the recess 39 being] "*open at one end of the sole 1 in the direction of translation*." While the description mentions that recess 39 extends in the direction of translation T, so that the head 57 of the body 55 of the retractable locking means 46 is received in abutment in recess 39 ([0029]), the patent is silent on the fact that the recess is open at one end. However, the defendant does not contest the addition of this feature, which is clearly apparent from Figures 1 to 8 and in particular from the transition from the retracted position to the extended position between Figures 2 and 3, where the stop located outside recess 39 enters by translation through the open end of the recess.

## II. On the request for invalidity of the amended claims of the patent

The validity of the limitation of claims 1 and 6 and of the auxiliary requests is not disputed.

### A- Legal framework

53. A European patent is only validly granted for an invention if it involves, in particular, an inventive step. An invention is considered to involve an inventive step if, in view of the state of the art, it is not obvious to a person skilled in the art (Art. 56 EPC), in view of the subject matter of the invention (i.e., the objective problem to be solved), assessed from the point of view of a person skilled in the art, in view of their general knowledge, on the relevant date (application or priority date). The claimed solution is obvious when, on the relevant date, a person skilled in the art, starting from a realistic starting point in the prior art in the relevant technical field and wishing to solve the technical problem, would be motivated to consider the solution and implement it as the next step (CoA, decisions of November 25, 2025, UPC_CoA_528/2024, *Amgen v. Sanofi-Aventis,* points 123 et seq. and UPC_CoA 464/2024, *Meril v. Edwards,* points 128 et seq.).

### B- Lack of inventive step

54. Mul-T-Lock continues to pursue the invalidity of claims 1 and 6 of the limited patent and the against it, solely on the grounds of lack of inventive step.

On prior art

*-the state of the art*

55. Mul-T-Lock disputes the validity of the patent, based on three documents A1 to A3 in various combinations (FR 986 (A1), EP 205 (A2) and GB 077 (A3) – the first two being cited in the introduction to the patent in [0002] and [0004] and the last not cited in the examination procedure), combined with the general knowledge of a person skilled in the art.

*-the general knowledge of the person skilled in the art*

56. As proof of this general knowledge, the defendant cites an SNE padlock, an industrial design, commercial brochures (exhibits HL 11 to 13), and two patents, US 939 (A4) and US 996 (1985) (exhibits HL 19 and 20). He argues (brief of August 22, 2025, pages 7-9) that the SNBE padlock, which he proves was marketed prior to the priority date, combined with the industrial design that is not publicly available and the commercial brochures relating to this padlock, illustrate the general knowledge of a person skilled in the art regarding the use of retractable stops, adding that a person skilled in the art would have been able to dismantle the padlock to ascertain the characteristics of the product sold. He goes on (brief of October 22, 2025, page 7) to assert that patents US939 and US996 are admissible, in that they are communicated in response to a specific argument previously developed by the applicant and that these documents illustrate the general knowledge of the person skilled in the art.

57. IMC Créations disputes the inclusion, under the heading of general knowledge of the person skilled in the art, of industrial design No. 28500250 of February 25, 2014, "*Padlock Chicago SNBE 12*," invoked by its opponent, as it is an internal document presumed to be confidential, which, moreover, Mul-T-Lock admits does not belong to the prior art (brief of September 22, 2025, pages 9 et seq.). Similarly, the commercially available brochures are not relevant, as they do not reveal the internal mechanism of the padlock without disassembly. IMC Créations also contests the disclosure of patents A4 (US 939) and A5 (US 996), which were invoked late in the proceedings and excluded from general knowledge, as they are patents belonging to specialized literature.

58. Common general knowledge is knowledge that an experienced person in the field in question is expected to possess or at least be aware of, since they know that they can find it in a book if necessary (CoA, March 3, 2025, *Sumi Agro-Syngenta,* UPC_CoA_523/2025, point 37): "*Common general knowledge is knowledge that an experienced person in the field in question is expected to have, or at least to be aware of, to the extent that they know they could look it up in a book if they needed it*." It generally includes information that is commonly known to a person skilled in the art, based on academic teaching, written sources, or practical experience, which is directly available from familiar sources such as manuals, encyclopedias, guides, dictionaries, and databases that a person skilled in the art knows and can use as an appropriate and reliable source. It is distinct from publicly available knowledge (DC Paris, January 22, 2025, *Njoy Netherlands BV v VMR Products LLC*, UPC_CFI_310/2023, point 44: "*The 'CGK', in general, is information which has been commonly known to the skilled person from written sources or from practical experience in the relevant technical field. The 'CGK' includes knowledge which is directly available from familiar sources of information relating to the specific technical field at the prior date but is not to be confused with publicly available knowledge, which may not be general and common. A familiar source of information typically is a source to which a skilled person regularly turns for guidance on standard design solutions that are generally applicable, such as standard textbooks, encyclopedias, manuals, handbooks, dictionaries, and databases which the skilled person knows and can use as a suitable and reliable source for the respective information in the respective technical field. A familiar source of information should not be confused, however, with all publicly available prior art documents.*
    ). Teaching that does not fall within the scope of prior public knowledge cannot be part of basic general knowledge.

59. As with any fact, general knowledge of the person skilled in the art must be proven by the party invoking it, going back at least to the filing date or priority date, if applicable, if it is disputed (see Rule 172.1 RdP). For this purpose, reference works or widely distributed technical articles may constitute such proof.

60. In this case, the padlock, the industrial design dated January 17, 2016, and the corresponding commercial brochures are not relevant in determining the state of general knowledge of a person skilled in the art, since the industrial sketch is an internal, confidential, and non-public document; the internal mechanism of the padlock is not apparent and cannot be considered to be made publicly available by a non-public technical document, unless it is dismantled, which is not justified.

Furthermore, it has not been established that this SNBE padlock has been sufficiently widely distributed to be part of the basic knowledge of a person skilled in the art, so that all these elements together do not constitute prior art in this field. With regard to patents A4 (US 939) and A5 (US 996), not only is their admissibility in the proceedings disputed, but they cannot be considered to be part of the general knowledge of a person skilled in the art, as they are specialized literature and it has not been established that they constitute documents forming part of the basic technical knowledge that any person skilled in the art of mechanics, including locksmithing, cannot be unaware of.

61. None of these documents will be taken into consideration in assessing the allegation of lack of inventive step.

<u>On the invalidity of the main claim 1, with regard to inventive step</u>

*<u>-prior art cited</u>*

**<u>A1</u>**

62. Patent EP 3 561 205 (prior art A1) (document HL No. 9), the application for which was published on October 30, 2019, entitled "*lock comprising a flush slide rail with a base for fixing the sole*," belongs to IMC Créations and therefore forms part of the prior art within the meaning of Article 54(2) EPC because it was published before the priority date of June 26, 2020, of patent UP 830.

63. A retractable locking finger 17 carried by the slide 3 cooperates with the base plate 1, engaging in two holes 19 and 21 in the base plate in the retracted and extended positions, respectively (Fig. 5). The screws 53 securing the base plate to the fixed panel 55 pass through the base plate and engage in two parallel grooves 39 in the slide (Figs. 3 and 5). The two fixing screws 53 carried by the base plate (circled in green by the defendant in Figure 3 below) cooperate with the rear end of the grooves 39 (circled in red) in the extended position, which allows the rear ends of the slide and the base plate to coincide in the extended closed position (Fig. 4). The screws 53 and the rear end of the grooves 39 form a travel stop in the extended position.

64. In the retracted position, the notch 31 comes into abutment against the opposite edge of the sole. The screws 53/rear ends of the grooves 39 and the notch 31 allow the sole to be pre-positioned in the extended and retracted positions for locking.

65. The defendant has thus colored Figures 3 and 6:

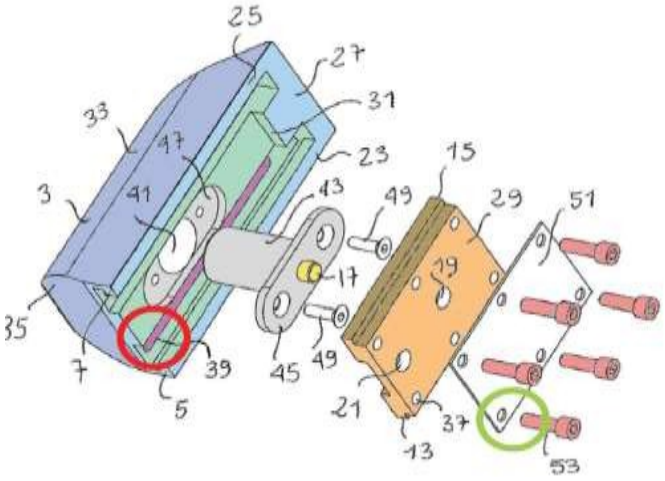



Fig. 3

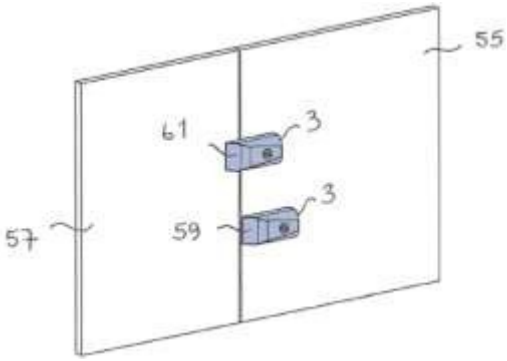



Fig. 6

66. Figures 4 and 5 are also useful for understanding:

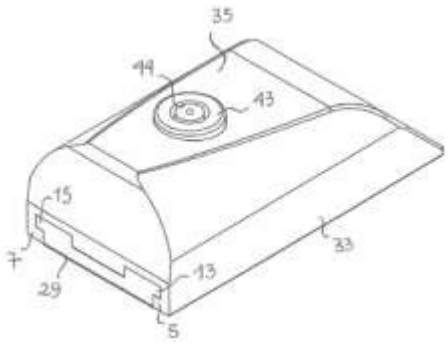



Fig. 4

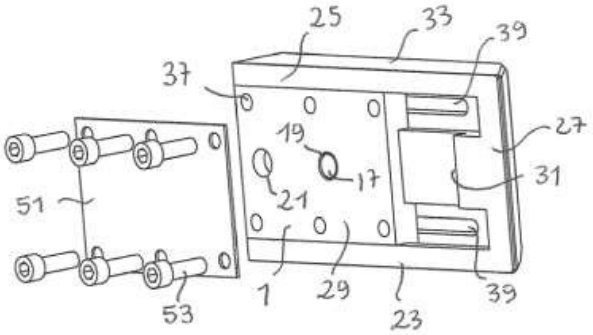



Fig. 5

67. This document discloses features 1.1 to 1.6.1 of amended claim 1, namely a single sole 1 and a slider 3, guided in translation by guide means (5, 7, and 13, 15), a flush support surface 27 integrated into the slide, a recess 31 acting as a stop, a retractable finger 17 cooperating with the sole carried by the slide 3, and a translational stop (rear end of groove 39) in the extended position, which cooperates with screws 53 for fixing the sole to the fixed panel. However, features 1.6.2 (retractable stop on the slide) and 1.7 (recess in the sole) of Claim 1 are not disclosed.

68. This prior art differs from the disputed EP'830 patent in that the translation stops in the extended position (screws 53) are retractable but not retractable. They are not received in a recess in the sole, but in grooves 39 in the slide that accommodate the fastening means 53 protruding from the sole. Furthermore, <u>this lock cannot be mounted from the outside</u>.

**A3 (GB077)**

69. Patent GB 2 275 077 (HL No. 7 a / and b /), prior art A3, whose application was published on August 17, 1994, relates to a two-piece sole, installed on two doors of a vehicle, following an external assembly, cooperating with a flush slide. It therefore forms part of the prior art.

70. This lock comprises a slide bolt 12 and a two-part base plate (a first element 10 serving as a strike plate fixed to the opening member 11 and a second element 10 fixed to the frame member 13). A retractable locking pin 63 carried by the slide 12 cooperates, in the extended position, with the strike plate 10 by engaging in an opening in the first element 1 (Fig. 2). However, the retractable locking pin 14 is not used to lock the slide in the retracted position. The slide 12 has a step 19 relative to its span, to form a translation stop in the extended position (Fig. 2).

71. The slide 12 has a retractable stop 56 consisting of a grub screw, which abuts against the edge of the second element 10 of the base in the retracted position (Fig. 3) and a second retractable stop 48 (ball biased by a spring) which fits into a recess 54 in the sole 50 in this retracted position. The ball thus limits the translation of the slider from the retracted position to the extended position.

72. The defendant colored figures 1 to 3 and 5 as follows:

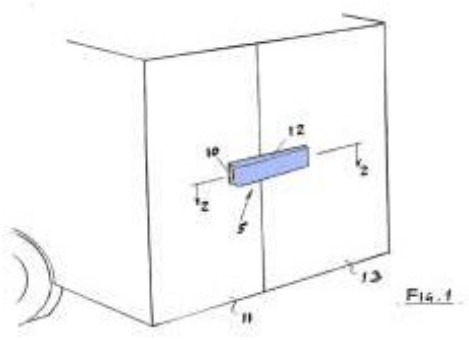


FIG. 1

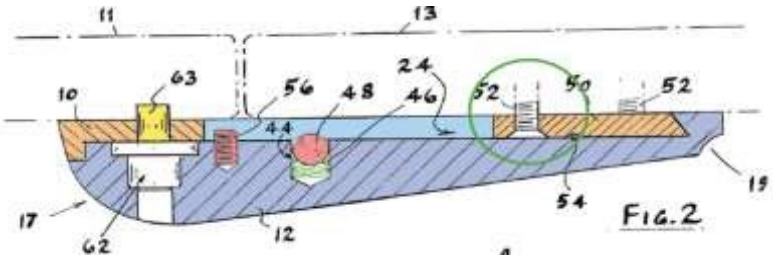


FIG. 2

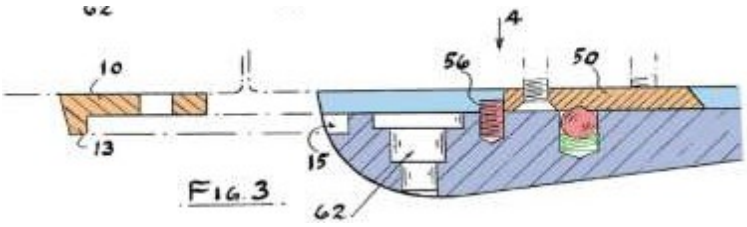


FIG. 3

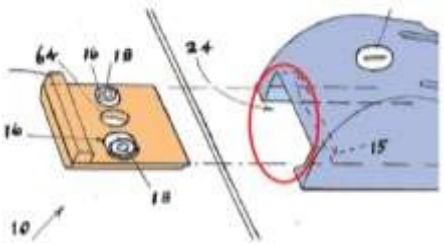



**Fig. 5**

73. The retractable ball constitutes a stop received in a recess in the sole, as in EP'830 (however, it does not serve as a stop in the extended position, contrary to feature 1.5 of claim 1).

74. Features 1.2, 1.6, 1.6.1, and 1.7 of claim 1 are therefore reproduced, while features 1.1 (sole in two parts and not a single piece), 1.3 (notch serving as a stop in the extended position and not in the retracted position, as stated in the interpretation of this feature) 1.4 (retractable locking finger only in the extended position), 1.5 and 1.6.2 (retractable stop 48 for translation in the retracted position and not in the extended position) are not reproduced.

75. In particular, feature 1.6.2 is not disclosed because the retractable stop in question, when placed in the context of the claim as a whole (in accordance with the aforementioned decisions of the Court of Appeal, which state that "*it is necessary to determine what the invention contributes to the prior art, not by examining the individual features of the claim, but by comparing the claim as a whole*"), is the stop defined in feature 1.5, which is a stop in the extended position, whereas in A3 the ball 48 is a retractable stop in the retracted position.

**A2 (FR986)**

76. French patent FR 2 997 986 (prior art A2), whose application was published on May 16, 2014, belonging to IMC Créations and relating to a "*key locking device for vehicle doors*," concerns a two-part sole plate installed on vehicle doors, following mounting from the outside. It therefore forms part of the enforceable prior art.

77. Essentially, this lock comprises a slide 4 and a two-part base plate (base 2 fixed to the frame and base 3 serving as a strike plate fixed to the sash). A retractable locking pin 14 carried by the slide 4 cooperates, in the retracted position, with an edge of the base 2 (Fig. 3). A retractable screw 10 is screwed into one end of a groove 9 in the slide (Fig. 5) and acts as a translation stop for a screw 6a protruding from the inner surface of the base 2 (Figs. 4 and 6), to position the slide 4 in this retracted position. The retractable locking finger 14, in the extended position, fits between the opposite edges of the two bases 2 and 3 (Figs. 1 and 2). The end 9b of groove 9, opposite screw 10, serves as a translation stop for the other screw 6a protruding from the inner surface of base 2, to position the slide 4 in this extended position, which allows the rear ends of the slide and the

sole in the extended closed position (Figs. 1 and 2).

78. The defendant thus colored figures 1 and 3 to 5:

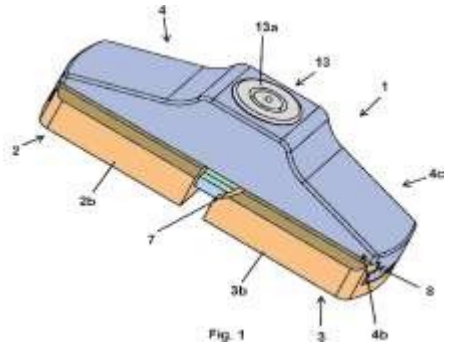


Fig. 1

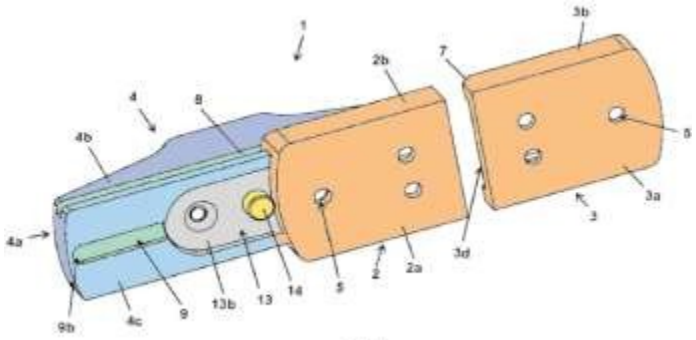


Fig. 3

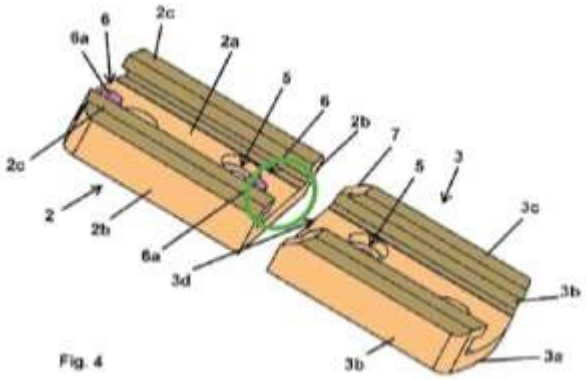
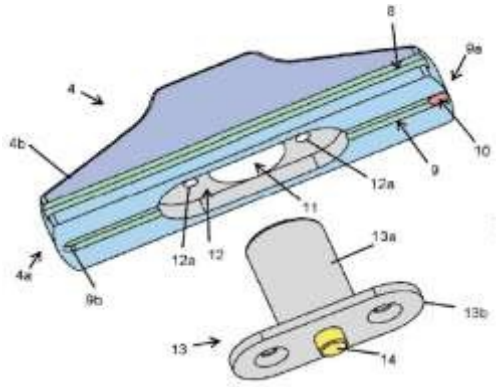


Fig. 4

(partial view)




(partial view of Fig. 5)

79. Figures 2 and 6 (colored and captioned by the plaintiff) are also useful for understanding.

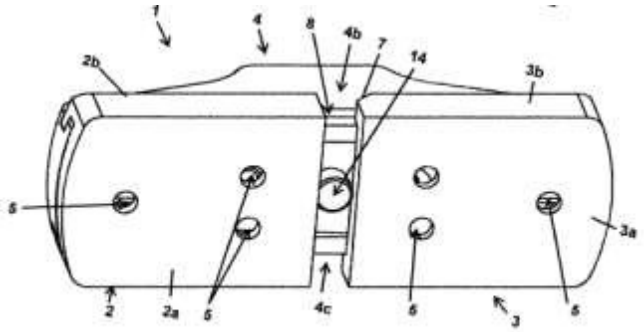


Fig. 2

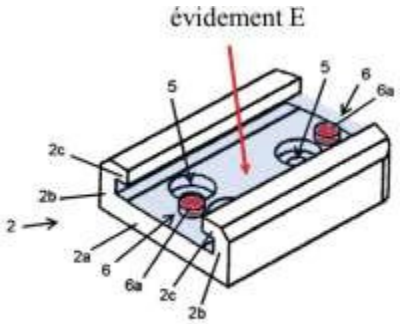


Fig. 6

80. Features 1.7 of claim 1 and 1.9 (RS2) are reproduced: screw 10 (or stop) is received in a recess (area circled in green by the defendant in Figure 4 above, consisting of the inner surface 2a of the base 2, its side walls 2b forming a guide means, and the grub screw 6a) of the sole. It serves as a translation stop in the retracted position and said recess is open in the direction of translation.
81. This prior art discloses features 1.2 and 1.4 of claim 1, while features 1.1 (two-part sole), 1.3 (the step 9b serves as a stop in the extended position and not in the retracted position, as stated in the interpretation of this feature), 1.5 (stop 10 in the retracted position and not in the extended position), 1.6, 1.6.1 (the span is raised relative to the base of the sole attachment) and 1.6.2 (the screw 10 or stop is in the retracted position and not in the extended position and is retractable but not extendable) of claim 1 are not reproduced.

*-Assessment of inventive step*

***-the objective problem solved by the inventive concept***

*What is the objective problem to be solved in relation to the prior art?*

82. As noted in the presentation of the invention (I-A), the patent description in [0002 to 0004] reviews the prior art, which is of course limited and cannot be exhaustive.

83. In summary, the prior art as disclosed includes, in particular:
    - locks with a two-part base (A2 and A3), which poses problems in terms of aligning the two parts and therefore the precision of the locking mechanism, but allows the base to be mounted from the outside, thus facilitating the base attachment process,
    - single-sole locks (A1), which improve locking precision, but conversely require the sole to be mounted from the inside,
    - Single-sole or non-single-sole locks (A1 to A3) have their slide and sole ends aligned in the extended closed position of the lock, to limit vandalism, and the slide is also flush with the base of the sole to limit vandalism (except A2).

84. The purpose of the invention as defined in the patent is to facilitate the fastening of the sole and improve the precision of the slide locking ([0005], [0007], [0032] lines 34 to 37) to overcome the disadvantages of prior art locks.

85. For the defendant, "*the alleged technical problem that EP 830 seeks to solve is to find an alternative configuration for the stop, so as to allow the sole to be fixed to its support before the slide is inserted into the sole guide means*."

86. According to the applicant, the objective technical problem to be solved in relation to A1 is "*to modify the way in which the slide is locked in the extended position, with the aim of facilitating the assembly and disassembly of the single-sole slide, while allowing the slide and sole to coincide in the locking position so as not to sacrifice resistance to vandalism*" (reply brief, page 24).

87. However, these formulations of the technical problem incorporate indications of the claimed solution, which is contrary to the approach of the Court of Appeal.

88. In view of the prior art, the panel considers that the objective technical problem is to design a lock that combines all the above advantages, namely improving the precision of the slide locking, facilitating the fixing of the base, **while limiting vandalism**.

*What is the inventive concept?*

89. According to the applicant's briefs, supplemented by his explanations at the hearing, the inventive concept of the claimed solution combines the following features:

- a single-sole lock (avoiding alignment problems) ([0007] and [0017] and feature 1.1),
- two translation stops in two notable positions, the notch 31 in the retracted position and the opposite stop 46 in the extended position ([0035] and features 1.3 and 1.5), preventing the slider from being driven out of the sole when the locking pin 63 is in the unlocked position, and predisposing the slider in its extended and retracted positions before locking, which contributes to the accuracy of the locking,
- a retractable translation stop on the slide to allow mounting from outside the sole (to facilitate mounting and dismounting of the slide without removing the sole, in particular for maintenance of the lock - cleaning or replacement in case of wear of certain parts of the lock), ([0012] and [0038] and feature 1.6.2),
- a slide range flush with a base for attaching the sole, to prevent the introduction of a foreign object, or even a vandalism tool, ([0019] and feature 1.6),
- a recess in the sole to receive the retractable stop, in the extended closed position, to align the ends of the slide and the sole and thus protect the stop inside the lock (between the sole and the slide) to limit vandalism ([0029] and feature 1.7).

90. Given that certain features are already known in combination in A1 (in particular the single sole, the flush bearing surface, the translation stops ensuring a predisposition in the retracted and extended positions), the essential contribution of the invention to the technique, in other words the inventive concept, lies in providing a single-sole lock with a **retractable** translation stop **in the extended position** on the slide and a **recess in the sole** to receive it, thereby solving the objective technical problem, namely "*improving the precision of the slide locking, facilitating the fixing of the sole, while limiting the risk of vandalism* ."

*What is a realistic starting point?*

91. A1 is rightly considered by the parties to be the most relevant starting point, in that it relates to a lock very similar to that claimed in patent EP830, with a single sole plate 1 and a slider 3 whose span 27 is flush with the fixing base 29 of the sole plate and is intended to solve the problem posed by the strike plate and alignment with the sole plate, in order to simplify the design of the lock with regard to the extended and retracted positions [0007]. A1 is therefore the closest starting point, in other words the most realistic and promising, unlike document A2, which the EPO wrongly considered to be the closest prior art, especially since the unconditional limitation to a single sole (statement of defense, pages 20, 28, and 29, and defendant's reply, p. 13).

***-Would a person skilled in the art have been prompted to arrive at the claimed solution in order to solve the objective problem?***

**Combination A1 + A3**

92. As previously stated, A1 does not disclose features 1.6.2 (retractable stop on the slider) and 1.7 (recess in the sole) of claim 1. The parties agree on this point.

93. According to Mul-T-Lock, in view of the teachings of the combination of A1 and A3 (similar configurations with a slide that is flush with a base for attaching the sole, and resolution of the problem of attaching from the outside), A3 encourages a person skilled in the art to reverse the stop in the extended position, consisting of the sole fixing screw 53 and the grooves 39 of the slider of A1, between the slider and the sole, and to replace them with the retractable ball 48 on the slider and the recess 54 on the sole of A3.

94. According to IMC Créations, a person skilled in the art would, on the contrary, be dissuaded from doing so, because prior art A1 and A3 relate to different locks (one with a single sole and the other with a two-piece sole) and "*the slide and sole of the claimed lock perform specific technical functions and are not interchangeable*."

95. However, the defendant's reasoning is based on an *a posteriori* analysis and there is no evidence of any incentive or motivation that could have led the skilled person to arrive at the claimed solution. There is nothing to suggest that a person skilled in the art would have been motivated to modify the lock of A1 in view of A3 and would have made the various modifications suggested by the defendant in order to arrive at the claimed invention.

96. On the contrary, the skilled person would find many elements dissuading them from doing so.

97. Firstly, the claimed invention does not consist of a "*simple*" reversal of the stop and the recess between the sole and the slider, which would be a routine or "*natural*" modification (according to the defendant) for a person skilled in the art, because for this reversal to be a routine measure, it would require these two parts to be interchangeable. However, the slide is a movable part that carries the locking barrel and serves to lock the movable panel by extending across both door panels in the extended position.

    Its role is therefore very different from that of the sole plate, which is a fixed part attached to a single panel that is also fixed.

    A person skilled in the art who "*has no inventive skill or imagination*" is therefore dissuaded, without any incentive, from making a modification that could have significant consequences on the operation of the lock.

98. Furthermore, the fact that A3 relates to a two-part sole, which is incompatible with a single sole, constitutes an obstacle that a person skilled in the art cannot overcome on their own initiative without express encouragement. On the contrary, a person skilled in the art who starts from A1 and wishes to solve the objective problem defined above, in particular improving the precision of the slide lock, is dissuaded from combining it with A3, which has the disadvantages of a lack of locking precision that the person skilled in the art seeks to avoid.

99. Even assuming that the skilled person seeks to combine A1 and A3 in order to adapt A1 to an external fastening of the sole, as shown in A3, they would face numerous technical difficulties to resolve, as the structures of the two locks are so different: the locking finger is used in both positions in A1 and in only one position in A3, the notch in the slider in A1 acts as a stop in the retracted position in A1 and in the extended position in A3, the retractable stop 48 in A3 only acts as a stop in combination with the retractable stop in the form of screw 56 (without this screw 56, the slide in A3 can detach from the base, which would cause the lock to fail), so that both should be imported into A1, these stops 48 and 56 in A3 serve as stops in the retracted position and not in the extended position as in A1.

100. A person skilled in the art would therefore be unable, unless they demonstrated inventive step, to combine the teachings of these two patents A1 and A3, as the structure and functioning of the parts would have to be modified in a fundamental way, without any guidance on how to achieve this. Claim 1 therefore involves an inventive step with regard to the combination of A1 and A3.

**Combination A1 + A2**

101. According to Mul-T-Lock, in view of the teachings of the combination of A1 and A2 (solving the problem of external fastening and using a retractable screw, which is an obvious alternative to a retractable stop), the person skilled in the art is prompted by A2 to reverse the stop in the extended position, consisting of the screw 53 for fixing the base and the grooves 39 of the slide of A1, between the slider and the base, and to replace them with the retractable screw 10 on the slider and the groove 9 on the base of A3, then to replace this retractable screw 10 with a retractable stop.

102. According to IMC Créations, A2 comprises a two-part sole, the slide range is not flush, and replacing the screw does not appear to be a realistic solution.

103. However, document A2 presents all the detailed disadvantages of A3, including a retractable screw 10 that serves as a stop in the retracted and non-extended position.

104. Furthermore, A2 is even more complicated to combine with A1 because it does not have a flush bearing surface, which requires the use of a strike plate and increases the risk of vandalism, thereby defeating two of the problems that the person skilled in the art seeks to solve, namely improving the precision of the slide lock while limiting vandalism. The defendant does not further explain why the person skilled in the art would have replaced the removable screws of A1 and A2 with a retractable stop, without any incentive to do so.

The mere fact that retractable stops exist is not in itself sufficient motivation for a person skilled in the art to take the risk of replacing a mechanism that works with another mechanism without any incentive to do so. Claim 1 therefore involves an inventive step in relation to the combination of A1 and A2.

**Combination A3 + A2**

105. As indicated above, A3 does not disclose features 1.1 (two-part base plate rather than a single base plate), 1.3 (notch serving as a stop in the extended position and not in the retracted position, as stated in the interpretation of this feature), 1.4 (retractable locking finger only in the extended position),
1.5 (stops 56 and 48 in the retracted position and not in the extended position) and 1.6.2 (retractable stop 48 for translation in the retracted position and not in the extended position).

106. Starting point A3 is less relevant, as it does not include a single base plate, but it remains realistic as it improves the precision of the slide locking and allows for external mounting.

107. Assuming that a person skilled in the art sought to combine A3 with A2 to solve the objective technical problem, they would be unlikely to arrive at the claimed solution, since A2 does not disclose features 1.1 (sole in parts), 1.3 (the step 9b serves as a stop in the extended position and not in the retracted position, as stated in the interpretation of this feature), 1.5 (stop 10 in the retracted position and not in the extended position), and 1.6.2 (the screw 10 or stop is in the retracted position and not extended and is retractable but not retractable) of claim 1. Therefore, even after combination, four features are missing, which

relate to the inventive concept, namely the single sole and the retractable stop in the extended position. Claim 1 therefore has an inventive step with respect to combination A3 and A2.

**Combination A2 + A1**

108. As indicated above, A2 does not disclose features 1.1 (two-part sole rather than a single sole), 1.3 (9b notch serving as a stop in the extended position rather than in the retracted position, as stated in the interpretation of this feature), 1.5 (stop 10 in retracted position and not in extended position), 1.6 and 1.6.1 (the span is raised relative to the base of the sole attachment), 1.6.2 (screw 10 or stop is in retracted position and not extended and is retractable but not retractable).

109. This starting point is even less relevant, as it does not include a single sole or a span flush with the mounting base, but it remains realistic because it allows for mounting from the outside.

110. Even assuming that a person skilled in the art sought to combine A2 with A1 to solve the objective technical problem, they would be unlikely to arrive at the claimed solution, because A1 does not disclose feature 1.6.2 either (the screw 53 serving as a stop in the extended position is not retractable or on the slide, but is retractable and on the base plate) of claim 1. However, feature 1.6.2 is part of the inventive concept of the claimed invention.

111. In any event, in order to arrive at the claimed invention, according to the defendant, a person skilled in the art would have been prompted to modify the slide so that its reach was flush with the base of the sole attachment as in A2, and this modification would have involved simple routine operations, simply reversing the configuration of the guide means of A2 by providing:

- the sole now being provided with wings projecting outwards (instead of being folded inwards to form a slide) and
- the slider now being provided with wings folded inward (forming a slide for the sole), instead of a longitudinal groove 8 forming a protruding wing received by the sole.
- then replacing screw 10 with a retractable stop, which is an obvious alternative.

112. As previously mentioned with regard to the combination of A1 + A2, the defendant does not explain why a person skilled in the art would have replaced the removable screws of A1 and A2 with a retractable stop, without any incentive to do so. The mere fact that retractable stops exist is not in itself sufficient motivation for a person skilled in the art to take the risk of replacing a mechanism that works with another mechanism without any incentive to do so.

113. Nor does the defendant explain why and how a person skilled in the art could modify the position of this screw 10 to serve as a stop in the extended position, when it serves in the retracted position in A2.

114. Finally, if the professional wishes to remove strike plate 3 from A2 in order to achieve a single base plate as in A1, the central lower face 4c of slide 4 of A2 remains raised relative to the fixing base T of base plate 2 (see applicant's diagram below). This elevation S of the slide 4 leaves it vulnerable to vandalism when extended, which discourages the skilled person from modifying the lock of A2 without the strike plate, so that the skilled person cannot obviously achieve feature 1.1 (single base plate).

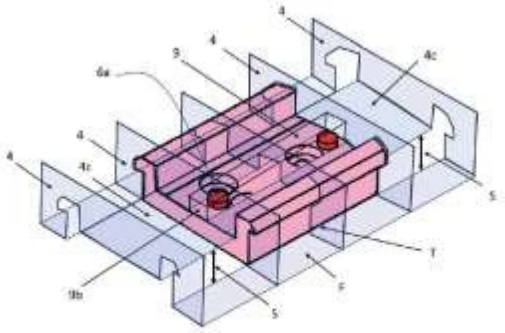


**Fig. 15** : Schéma partiel d'un verrou selon l'antériorité A2, doté d'une portée à fleur simulée selon l'antériorité A1 .

115. Features 1.1, 1.3, 1.5, and 1.6.2 therefore do not follow in an obvious manner from the combination of A2 + A1. Claim 1 therefore involves an inventive step with respect to the combination of A2 and A1.

**Combination A2 + A3**

116. Claim 1 involves an inventive step in relation to the combination A2 and A3 for reasons similar to those given above in relation to the reverse combination A3 + A2.

On the invalidity of claim 6 with regard to inventive step

117. Claim 6 as limited is dependent on claim 1 as limited.

118. If the amended Claim 1 is inventive, Claim 6 is also inventive.

On the invalidity of auxiliary requests 1 to 3

119. The invalidity of amended auxiliary claims 1 to 3 is irrelevant, since the validity of amended claims 1 and 6 has been established as a matter of principle.

## III. On infringement

120. IMC Créations continues to infringe limited claims 1 and 6, pursuant to Articles 5(3) and 7 of EU Regulation 1257/2012 and Article 25(a) of the JUB Agreement, in countries where the patent has unitary effect, and infringement of claims 1, 2, and 7 of the patent as granted under Article 8 of the Swiss Federal Law. It is based on the defendant's website as of October 21, 2024, and its general terms and conditions of sale (IMC Créations exhibits nos. 14 and 15), as well as on a video posted by the defendant on its website demonstrating the product (Exhibit No. 13 YouTube) and justifies the offer for sale, through third-party platforms, of the disputed padlock in various European countries (France, Belgium, Germany, Italy, the Netherlands, Poland, and Spain).

**A- Infringement of the Swiss national part of the patent**

121. According to IMC Créations (brief of June 25, 2025, pages 41 et seq.), the international jurisdiction of the JUB extends to infringement proceedings relating to a national patent granted, as in this case, by a State bound by the Lugano Convention, which contains provisions similar to those of the Brussels I Bis Regulation. The argument put forward by the defendant is solely intended to challenge the order of March 21, 2025, which ruled on this issue. IMC Créations invokes the decision of January 28, 2025, of the Local Division of Düsseldorf (UPC_CFI_355/2023), which ruled that the UPC has international jurisdiction over the territories of the parties to the agreement, but without excluding the possibility that decisions may have effects beyond the territory of those states.

122. According to Mul-T-Lock, claims of infringement in Switzerland, which must be assessed in light of the patent as granted, must be dismissed (brief of April 25, 2025, pages 64 et seq.), because infringement of each national part of the patent is governed by the national law of the designated country, while the applicant does not develop any arguments with regard to the provisions of Swiss law. Furthermore, the JUB cannot declare the Swiss designation of the patent invalid, so that this court has jurisdiction to rule on the infringement of this designation, unless there is a serious possibility that the Swiss designation will be declared invalid. The validity of the patent is a prerequisite for an injunction, and the grounds for invalidity invoked also apply to the national part in a third country (DL Düsseldorf, January 28, 2025, UPC_CFI_355/2023). Mul-T-Lock adds (brief of August 22, 2025, page 31) that the addition of references to Swiss law is late (this point having been decided by order of August 6, 2025) and argues that the Swiss designation as granted is likely to be invalid because, by limiting the unitary patent, IMC has acknowledged its lack of validity.

123. In this case, the infringement in Switzerland of the Swiss part of the patent relates to claims 1, 2, and 7, as granted, since only the claims of the unitary patent were unconditionally amended. According to the decision of the CJEU (C339/22 of February 25, 2025, *BSH-Electrolux*) and as stated in the order of March 21, 2025, on preliminary objection, to which reference is made, the JUB does not have jurisdiction to rule on the validity of a national part of a patent granted by a country other than a contracting member state of the AJUB. On the other hand, the court has jurisdiction to hear actions for infringement of a patent granted by an EU Member State or a state bound by the Lugano Convention, unless there is a reasonable risk that the patent will be revoked by the court of the state that granted it. In such a case, the JUB must stay proceedings until the issuing State has ruled on the national part of the patent.

124. In the present case, the limitation of the unitary patent by the applicant, in the context of the present proceedings, in order to avoid the complaint of lack of inventive step of the patent as granted, leaves serious doubt as to the validity of the Swiss title initially granted, which constitutes a significant reasonable risk of invalidity of the Swiss part of the title. It was incumbent on IMC Créations, where appropriate, to take steps to amend the Swiss part of the patent.

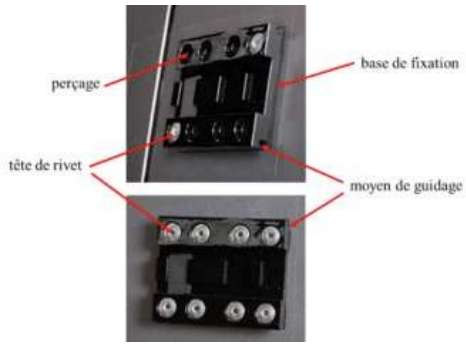
125. The Paris Local Division is therefore unable to assess the materiality of the alleged infringement of the Swiss part of the patent and cannot stay proceedings in the absence of pending invalidity proceedings in Switzerland, as the parties confirmed at the hearing (in the same vein, DL Düsseldorf, January 28, 2025, UPC_CFI_3552023). All claims in this regard will be dismissed.

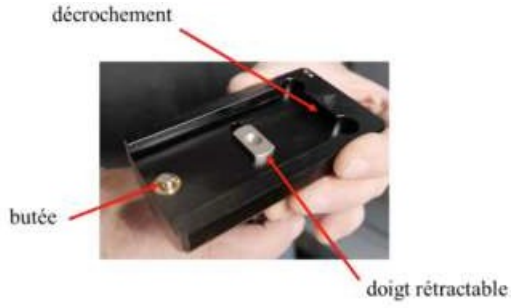
**B- Infringement of Claims 1 and 6 of the unitary patent**

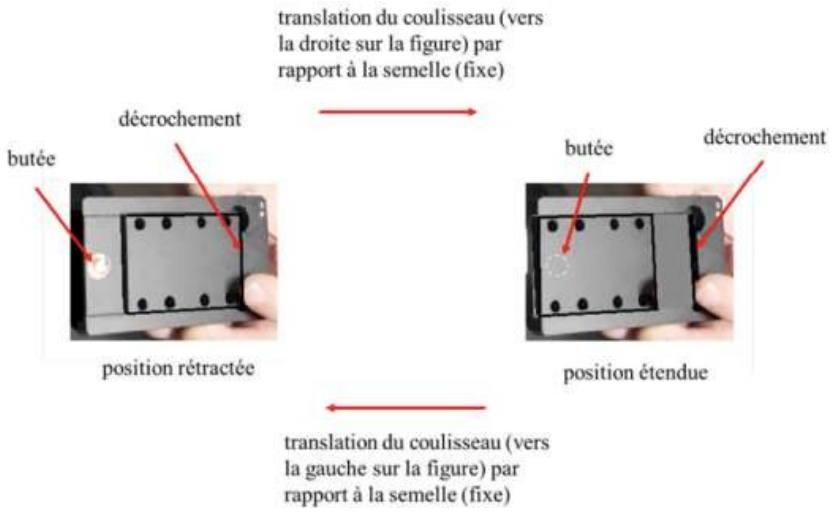
126. Mul-T-Lock disputes the materiality of the infringement and, in particular, the reproduction of feature 1.7 (recess in the sole), in light of its interpretation of the patent.

127. Patent claims must be interpreted in the same way, both when assessing their validity and when assessing infringement. In this case, it is not disputed and cannot be disputed that all the features of amended claims 1 and 6 are reproduced, with the exception of feature 1.7.

128. IMC Créations has annotated photographs taken from the video (Exhibit No. 13 YouTube) demonstrating the reproduction of features 1.1 to 1.6.2, as follows:

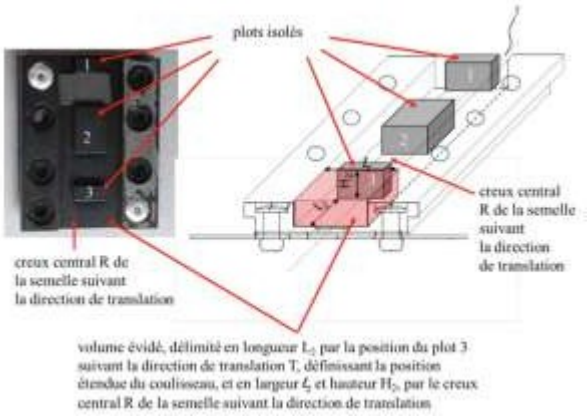






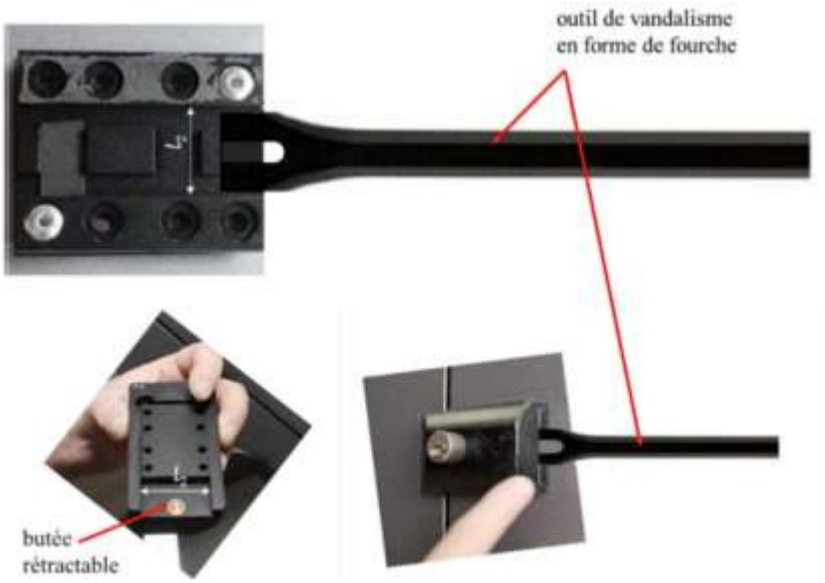

129. Feature 1.7, interpreted as described above, where the recess is not limited to a space strictly configured to receive the stop and may extend beyond it, provided that it allows it to perform its function, is also reproduced.

130. IMC Créations has drawn a diagram reproduced below to illustrate a representation of the recess on the MPV1000 padlock:



131. Indeed, the base of the MPV1000 padlock has a recess at the rear, delimited between the rear stud 3, the inner surface of the base, and its lateral guide wings, which recess receives the retractable stop, regardless of whether this recess is not adjusted to the dimensions of the stop and there remains a gap at the rear of the padlock in the extended position. In fact, the recess in feature 1.7 is not adjusted in length, height, or width, as explained in the interpretation of this feature.

132. Finally, the defendant argues that its padlock does not reproduce feature 1.7, because the wider recess on its padlock allows the insertion of a vandalism tool, as shown in the photograph produced by IMC Créations itself.




133. However, the protection against vandalism of a lock according to the invention does not exclude any possibility of inserting a vandalism tool, as the rear end of the recess is open to allow, in particular, the insertion of a blade to activate the removal of the stop during the assembly/disassembly of the slide on the base plate [0034 and 0035], which leaves an open gap at the rear allowing the insertion of a vandalism tool.

134. The fact that the MPV1000 padlock has a gap at the rear of the base that is wider than in the patent drawings, which are only examples of non-limiting embodiments of the invention, does not allow it to escape literal infringement, since the means in their structure and function are reproduced: the recess in the MPV1000 padlock, which is designed to accommodate the retractable stop, has the technical effect of aligning the base plate and the slider at the rear in the extended position, protecting the stop within the recess between the base plate and the slider, and facilitating the attachment of the base plate by allowing the slider tobe inserted onto the base plate after it has been secured to the vehicle, while limiting vandalism thanks to the slide, which is flush with the base plate's mounting base, which is a single base plate to improve locking precision. In doing so, the MPV1000 padlock reproduces the claimed inventive concept

135. Furthermore, the defendant acknowledges that it is true that if the contested object corresponds to the literal wording of the claims, it may fall within the scope of the latter even if it is less advantageous than the specific embodiments described in the patent.

136. Thus, the disputed padlock reproduces the entirety of claims 1 and 6 of the amended patent, and infringement of the amended claims 1 and 6 of the unitary patent is established.

**C- Proof of infringement**

137. Mul T Lock considers (brief of April 25, 2025, page 67) that the evidence of the materiality of the infringement is insufficient, because the page of the disputed website does not link to a purchasing platform, so that the offer for sale of the product is not established.

138. However, this last statement is irrelevant, since according to the Court of Appeal (CoA, October 3, 2025, *Belkin-Philipps,* UPC_CoA_534/2024 and 19/2025, heading 1), an offer, within the meaning of Article 25(a) AJUB, must be interpreted in the economic sense of the term and not as a binding contractual offer containing all the details necessary for it to be concluded by the mere acceptance of the offer. Furthermore, Mul-T-Lock does not dispute the marketing of the disputed product in France, but exclusively to professionals. It requests not to be held liable for the actions of resellers.

**D- On the effective date of the limitation of the unitary patent and, consequently, of the infringement**

139. According to IMC Créations (brief of September 22, 2025, page 19), the claims were amended to take into account the teachings of patent GB077 and the limitation takes effect retroactively from the date of the patent application, pursuant to Article 69(2) EPC, provided that the protection is not broader than that conferred by the claims contained in the application as published.

140. According to Mul-T-Lock (brief of August 22, 2025, page 34), under the principles of legal certainty, fairness, and freedom of exploitation, the amended patent can only take effect on the date of the amendment. No act of infringement can be attributed to it during the period prior to the amendment of the claims, which occurred following the brief of June 25, 2025, and no claim for damages can be made against it, whereas the claims of the patent as granted were clearly invalid and it had the right to exploit the patent claims then in force. Furthermore, Mul-T-Lock considers that it did not knowingly or with reasonable grounds to know, in accordance with Section 68(4) AJUB, commit any act of infringement prior to the limitation of the patent. Furthermore, the applicant cannot in good faith invoke the teachings of patent GB 077 (A3), which was opposed to a parallel patent belonging to it and of which it was fully aware, to justify the limitation of the patent it carried out.

141. Pursuant to the combined provisions of Articles 64(1) and 68 of the European Patent Convention and Article 4.1 of Regulation (EU) No. 1257/2012, the limited unitary patent takes effect retroactively from the date of grant of the European patent that has become unitary, i.e., in this case, November 1, 2023.November 2023. Furthermore, the patent as granted, as long as it has not been revoked by a court, is deemed to be valid from the date of its grant, so that Mul-T-Lock cannot therefore argue that the patent as granted was, prior to its limitation, manifestly invalid. Similarly, the defendant cannot invoke the provisions of Article 68(4) AJUB to exonerate itself from any liability on the grounds that it did not know or had no reasonable grounds to know that it was committing an infringement, when, on the one hand, it exploited the product alleged to be infringing without taking any prior action to revoke the title, either in opposition proceedings before the European Patent Office or in court, and, on the other hand, it could not rule out the possibility of a subsequent limitation of the patent to a single sole, which was already mentioned in the description and figures of the patent. In this regard, the defendant, in its statement of counterclaim for invalidity, prior to the amendment made by IMC, had already anticipated that patent UP830 related to a single-sole lock, since the single-sole prior art A1 was chosen as a particularly relevant starting point (page 28), whereas, based on the two-part sole prior art A3, Mul-T-Lock explained that a person skilled in the art would have modified the slider.

to come "*up against the single portion of the sole*," "*even in the absence of a sole on the second panel*" (the portion forming the strike plate) (page 40).

## IV- Corrective measures

### A- Permanent injunction prohibiting importation and possession

142. IMC Créations requests (brief of June 25, 2025, pages 42 et seq.) a permanent ban in France and Switzerland and asks that the defendant inform all professionals in France and abroad, as well as in Switzerland and abroad, including any online companies, offering for sale or selling the padlock in question. It also requests that the products be recalled from all professionals, the defendant and its branch, and that the products be destroyed.

143. According to Mul-T-Lock, the injunction should be limited to the territory of the Member States of the AJUB, in which the patent has unitary effect (pursuant to Article 34 AJUB, which limits the territorial scope of JUB decisions). Furthermore, the injunction as formulated ("*prohibition on offering for sale and selling to any professional within the meaning of the general terms and conditions of sale, including to any online retailer domiciled in France or abroad*") is unnecessary because it applies by definition regardless of the nationality or country of residence of the purchaser.

144. In this case, the prohibition measure and ancillary requests (recall and destruction) will be limited to the territory of the AJUB Member States, which constitutes a single territory where the unitary patent is effective. However, it cannot be extended to Switzerland or abroad, since infringement of the Swiss part of the title has not been upheld.

145. Furthermore, IMC Créations agreed at the hearing to the defendant's request for a three-month postponement for the implementation of corrective measures, as will be mentioned in the operative part of the decision.

### B- Customer information

146. The request in this regard appears to be unjustified and disproportionate. It is in fact unnecessary since the recall and destruction of products on the market has been ordered. It is disproportionate in that it is requested for "*France, Switzerland, and abroad*," i.e., potentially the entire world.

### C- Right to information and confidentiality

147. The request for information should be granted in order to determine the network and the volume of counterfeit goods, in accordance with the terms of the operative part of this decision, within the aforementioned limits (identity of the professionals and offer or sale of the disputed product in the AJUB member states, on the basis of Article 67(1) AJUB, excluding Swiss territory).

148. Following the defendant's request for confidentiality in its brief of October 22, 2025, the parties were invited, after the hearing, to submit their observations on the organization of a confidentiality club for this data.

149. In a note dated December 11, 2025, IMC Créations proposed setting up such a club, comprising two representatives from each party, for a period of three months ending on the date of implementation of the corrective measures, and requested that confidentiality be lifted after this period.

150. On December 18, 2025, Mul-T-Lock replied that these terms were neither necessary nor proportionate, arguing that data such as accounting figures and customer information, which would benefit the plaintiff, which remains its competitor, are highly confidential and cannot be freely disclosed and discussed at the end of the three-month period agreed between the parties, as this would constitute a breach of business secrecy. It asserts that maintaining confidentiality beyond the three-month period would not infringe on the plaintiff's rights.

151. According to Article 9 of Directive 2016/943 on trade secrets, the judge must assess the proportionality of the measure requested and consider the legitimate interests of the parties and, where applicable, third parties, and the resulting harm to either party. Under Article 58 AJUB, the JUB may organize the terms and conditions of access to evidence. Pursuant to Rule 262A.6 RdP and its implementation within the JUB (CoA, February 12, 2025, UPC_CoA_621/2024), the number of persons to whom access is restricted must include at least one natural person from each party and the respective lawyers or other representatives of those parties to the legal proceedings, unless otherwise agreed by the parties.

152. In this case, the confidentiality of data covered by the right to information is not disputed by the parties. Mul-T-Lock's request for non-disclosure of this information appears legitimate, as it concerns sensitive data that cannot be freely shared with a competitor. However, the parties remain in disagreement on the number and identity of the parties to be designated to participate in the confidentiality circle and on the duration of confidentiality.

153. It is therefore necessary to organize a confidentiality circle in accordance with the aforementioned provisions (comprising at least one natural person for each party). Furthermore, the reasons given by the applicant for restricting access to this information to the parties' representatives alone are not relevant, since, in the context of a procedure to assess its damage or possible action against third parties who may have been identified in this way, IMC will, where appropriate, be able to request the protection of this information and its sources. There is therefore no reason to limit access to this data to three months.

**4- On damages and costs**

154. The parties requested separate proceedings with regard to damages and recoverable costs, as the plaintiff had not filed any provisional claim in this regard. At this stage, there is no need to rule on the royalty rate that Mul-T-Lock would have had to pay if it had consulted the patent holder in order to obtain authorization to reproduce the patent; this issue will be dealt with in the separate proceedings.

155. In view of the outcome of the dispute, with each party having obtained part of its claims, the costs of the infringement and invalidity proceedings will be shared between the parties, with Mul-T-Lock bearing 90% of them and IMC bearing 10%, in accordance with the provisions of Article 69 AJUB and R.118.5 RdP.

**FOR THESE REASONS,**

The Court,

- Declares that limited claims 1 and 6 of Unitary Patent UP 4 153 830 are worded as follows, with effect from November[1,] 2023:

Claim 1

"Lock comprising a single base plate (1) and a slide (3), guided in translation relative to each other by guide means (5, 7, 6, 8, 9, 11, 13, 15) between two positions, one called extended and the other called retracted,

the slider comprising a bearing surface (27) which extends in a sliding plane defined by the guide means (5, 7; 6, 8; 9, 11; 13, 15)

and a step (31) relative to the bearing surface (27), forming a stop in translation in one of the two positions,

the base cooperating with a retractable finger (17) of a locking means (43) carried by the slide (3) to lock it in the extended position and in the retracted position,

the slide (3) comprising, opposite the step (31) relative to the retractable finger (17) of the locking means (43), a stop (46) for translation in the extended position,

the span (27) being flush with a fixing base (29) of the sole (1),

**characterized in that:**

the flush bearing surface (27) is integrated into the slide (3) and

the stop (46) is retractable perpendicular to the sliding plane and received in a recess (39) in the base plate (1).

Claim 6

"Latch according to claim 1, 3, or 5, characterized in that the base plate (1) is provided with holes (37) comprising a shoulder (36) opposite the fixing base (29) of the base plate (1) and intended to receive a rivet head (52),"

- States that the text of limited claims 1 to 7 of Unitary Patent UP 4 153 830 is now worded as follows:

Claim 1.

Lock comprising a single base plate (1) and a slider (3), guided in translation relative to each other by guide means (5, 7, 6, 8, 9, 11, 13, 15) between two positions, one known as extended and the other known as retracted, the slider comprising a bearing surface (27) that extends in a sliding plane defined by the guide means (5, 7; 6, 8 ; 9, 11; 13, 15) and a step (31) relative to the span (27), forming a stop in translation in one of the two positions, the base cooperating with a retractable pin (17) of a locking means (43) carried by the slide (3) to lock it in the extended position and in the retracted position, the slide (3) comprising, opposite the step (31) relative to the retractable finger (17) of the locking means (43), a stop (46) for translation in the extended position, the bearing surface (27) being flush with a fixing base (29) of the sole (1), characterized in that the flush bearing surface (27) is integrated into the slide (3) and the stop (46) is retractable perpendicular to the sliding plane and received in a recess (39) in the sole (1).

Claim 2.

Latch according to claim 1, characterized in that the retractable stop (46) comprises a head (57) and a body (55) held in a bore (65) in the slide (3) by a screw (63), against an elastic return means (61).

Claim 3.

Lock comprising a base plate (1) and a slide (3), guided in translation relative to each other by guide means (5, 7, 6, 8, 9, 11, 13, 15) between two positions, one known as extended and the other known as retracted, the slider comprising a bearing surface (27) which extends in a sliding plane defined by the guide means (5, 7; 6, 8; 9, 11; 13, 15) and a step (31) relative to the bearing surface (27), forming a stop in translation in one of the two positions, the base cooperating with a retractable finger (17) of a locking means (43) carried by the slide (3) to lock it in the extended position and in the retracted position, the slide (3) comprising, opposite the step (31) relative to the retractable finger (17) of the locking means (43), a stop (48) for translation in the extended position, characterized in that the bearing surface (27) is flush with a fixing base (29) of the sole (1) and the stop (48) is received in a recess (40) in the sole (1), the flush bearing surface (27) being integrated into the slide (3) and the stop (48) being retractable in the sliding plane.

Claim 4.

Lock according to claim 3, characterized in that the retractable stop (48) comprises a screw (59) and a screw head (60) received in a thread (58) of the slide (3).

Claim 5.

Lock comprising a base plate (1) and a slide (3), guided in translation relative to each other by guide means (5, 7, 6, 8, 9, 11, 13, 15) between two positions, one known as extended and the other known as retracted, the slider comprising a bearing surface (27) which extends in a sliding plane defined by the guide means (5, 7; 6, 8; 9, 11; 13, 15) and a step (31) relative to the bearing surface (27), forming a stop in translation in one of the two positions, the base cooperating with a retractable finger (17) of a locking means (43) carried by the slide (3) to lock it in the extended position and in the retracted position, the slide (3) comprising, opposite the step (31) relative to the retractable finger (17) of the locking means (43), a stop (62, 64) for translation in the extended position, characterized in that the span
(27) is flush with a fixing base (29) of the sole (1) and the stop (62, 64) is received in a recess (39) in the sole (1), the flush bearing surface (27) being retractable relative to the slide (3) and the stop (62, 64) being integrated with or attached to the slide (3).

Claim 6.

Lock according to claim 1, 3, or 5, characterized in that the sole (1) is provided with holes (37) comprising a shoulder (36) opposite the fixing base (29) of the sole (1) and intended to receive a rivet head (52).

Claim 7.

Lock according to claim 1, 3 or 5, characterized in that the base plate comprises two perforations (19, 21) cooperating with the retractable finger (17) of the locking means (43) of the slide (3) to lock it in one of two positions using one perforation
(19) and in the other position by means of the other perforation (21).

- Orders the transmission of this decision to the European Patent Office for the purposes of amending the register, at the end of the appeal period,

- Dismisses Mul-T-Lock's request for invalidation of claims 1 and 6 of the amended patent and for invalidation of the subsidiary requests,

- Declares that the MVP 1000 padlock manufactured and marketed by Mul-T-Lock constitutes an infringement of limited claims 1 and 6 of patent UP 4 153 830 belonging to IMC, since November[1,] 2023,

- Orders Mul-T-Lock to refrain from and cease offering, marketing, using, importing, or storing for these purposes, within the territory of the Member States that are contracting parties to the AJUB, the MPV 1000 padlock or any other product implementing claims 1 and 6 as amended of unitary patent UP 4 153 830, as previously worded,

- Orders Mul-T-Lock, at its own expense and under the supervision of a Commissioner of Justice, to:

    - Recall the MPV 1000 products or any other product implementing the amended claims of the unitary patent from commercial channels located in the territory of the Member States contracting to the JUB Agreement,
    - Permanently remove these products from these commercial channels located in the territory

  of the Contracting Member States of the JUB

Agreement,

- Proceed with the destruction of these products,

- States that the requests for permanent injunctions and ancillary measures will take effect, in accordance with the parties' agreement on these points, only after a period of three months following the pronouncement of this decision.
- Orders Mul-T-Lock to provide IMC Créations, within two months of the pronouncement of this decision, with the following information:
    - the origin and distribution channels of the disputed products in the territory of the Member States of the JUB Agreement since November[1,] 2023,
    - the quantities produced, manufactured, delivered, received, or ordered, as well as the price obtained for the disputed products since November[1,] 2023,
    - the identity of any third party involved in the production or distribution of the disputed products in the territory of the Member States that are parties to the JUB Agreement, since November[1,] 2023,
- States that this information is confidential and that this information, in its unredacted form, shall only be accessible to the representatives of each of the parties to this case, as well as to one representative of each party, whose names and positions shall be communicated to the Court within 10 days of the pronouncement of this decision and who shall first sign a confidentiality agreement
- Rejects the request to disseminate the decision to customers,
- Declares that Mul-T-Lock is liable for all damages resulting from the infringement of the patent in dispute and shall be required to pay damages, the amount of which is to be determined in separate proceedings,
- Dismisses all of IMC Créations' claims based on the Swiss part of the patent,
- Orders a sharing of legal and procedural costs and Rules that Mul-T-Lock shall bear 90 % of these costs and IMC Créations 10%.

Delivered in Paris on January 16, 2026

Camille Lignières, Presiding Judge

Camille Lignières Date: 2026.01.15 09:32:00

Carine Gillet, reporting judge

Carine Gillet 2026.01.16 09:09:54 +01'00

Rute Lopes, legally qualified judge,

Rute Alexandra Da Silva Sabino Lopes Digitally signed by Rute Alexandra Da Silva Sabino Lopes Data: 2026.01.14 18:44:10 Z

Michel Abello, technically qualified judge

Michel, Robert, Gérard Abello
Digital signature of Michel, Robert, Gérard Abello
Date: 2026.01.14 19:54:49 +01'00

Marielle Brasseur, Clerk

Marielle BRASSEUR
Date: 2026.01.16 09:50:45

**Information on appeals** (Art. 73(1) AJUB, R. 220.1(a), 224.1(a) RdP)

An appeal against this decision may be lodged with the Court of Appeal by any party that has been partially or totally unsuccessful in its claims, within two months of the date of notification of the decision.

**Information on enforcement** (Art. 82 AJUB, Art. 37(2) Statutes, R. 118.8, 158.2, 354, 355.4 RdP)
An authentic copy of the decision or enforceable order shall be issued by the Deputy Registrar at the request of the party seeking enforcement, R. 69 Rdp.

*DETAILS OF THE DECISION*
Action number: UPC_CFI_702/2024 and UPC_CFI_369/2025
Type of action: Infringement action and counterclaim for invalidity
Date of order: January 16, 2026