



Order
of the Court of First Instance of the Unified Patent Court
issued on 26 June 2026
concerning EP 3 157 142

CLAIMANT:

Valeo Electrification, 14 Avenue des Béguines, 95800 Cergy, France

Represented by: Attorney-at-law Felix Rödiger, Bird & Bird LLP, Carl-Theodor-Straße 6, 40213 Düsseldorf, Germany

Patent attorneys Nicolas Cardon, Amandine Ricard, Pierre Prigent and Florian Saadi, Valeo Electrification, 14 Avenue des Béguines, 95800 Cergy, France

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DEFENDANTS:

1. **SEG Automotive Germany GmbH**, represented by its directors Ferdinando Sorrentino and Gustavo Henrique Baldussi Ferreira, Lotterbergstraße 30, 70499 Stuttgart, Germany
2. **SEG Automotive Spain, S.A.U.**, represented by its board members Ferdinando Sorrentino, Claudio Ishamu Nakao and Frank Ahlborn Carretera General 185, 39760 Adal-Treto, Barcena de Cicero (Cantabria), Spain
3. **SEG Automotive France SAS**, represented by its president Frank Ahlborn, 126 Rue de Stalingrad, 93700 Drancy, France
4. **Ferdinando Sorrentino**, Lotterbergstraße 30, 70499 Stuttgart, Germany
5. **Gustavo Henrique Baldussi Ferreira**, Lotterbergstraße 30, 70499 Stuttgart, Germany
6. **Claudio Ishamu Nakao**, Carretera General 185, 39760 Adal-Treto, Barcena de Cicero (Cantabria), Spain
7. **Frank Ahlborn**, Carretera General 185, 39760 Adal-Treto, Barcena de Cicero (Cantabria), Spain

Defendants 1-7 represented by: Attorneys-at-law Tobias Schneider, Dr Detlef Mäder, Luther Rechtsanwaltsgesellschaft mbH, Anna-Schneider-Steig 22, 50678 Cologne, Germany

Patent attorneys Dr Florian Steinbauer, Andreas Senft,
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INTERVENERS:

1. **KSR International Inc.**, legally represented by its Chief Executive Officer, Chris Weenas, Erie St S 95, ON NOP 2CO Ridgetown, Canada
2. **Automotive Technical Advisory Service GmbH**, legally represented by its Managing Director, Marek Poskart, Hildesheimer Straße 187, 30880 Laatzen, Germany

Interveners 1-2 represented by: Attorneys-at-law Dr Eva Maria Thörner, Dr Felix Beck,
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PATENT IN SUIT:

EUROPEAN PATENT NO. EP 3 157 142

PANEL/DIVISION:

Panel 1 of the Düsseldorf Local Division

DECIDING JUDGES:

This order was issued by legally qualified judge Dr Schumacher acting as judge-rapporteur.

LANGUAGE OF THE PROCEEDINGS: English

SUBJECT: R. 313 RoP – Application to intervene

SUMMARY OF THE FACTS

1. On 23 March 2026, the Claimant filed an infringement action against the Defendants, alleging that the Defendants infringe European Patent No. 3 157 142 ('patent in suit') by offering and selling 48V e-machines under the product designation 'BRM 2.8'.
2. Intervener 1 is engaged in designing, engineering and manufacturing parts and components for the automotive industry. Intervener 2 is a wholly owned subsidiary of Intervener 1.

3. In 2018 and 2019, the Interveners collaborated with Defendant 1 regarding the development of an inverter for the Defendants' 'BRM 2.8' 48V machines. In this context, the Interveners concluded and performed a number of contractual agreements with Defendant 1.
4. In a letter dated 4 May 2026, Defendant 1 informed the Interveners of the present proceedings and gave 'precautionary notice of a possible defect in title affecting the inverter components of the BRM system' developed by the Interveners. Furthermore, Defendant 1 expressly reserved 'all further rights in connection with this matter'. The Interveners also received a copy of the statement of claim dated 23 March 2026.
5. On 8 June 2026, the Interveners lodged an application to be admitted as interveners in support of the Defendants.

REQUESTS AND PARTIES' SUBMISSIONS:

6. The Interveners state that they have a direct and present interest, as defined by the Court of Appeal's case law. They argue that, regardless of whether such claims would have any merit, a subsequent dispute between the Interveners and the Defendants could be avoided if the Court dismissed the infringement action and/or revoked the patent in suit.
7. The Interveners request:
 1. The Interveners are admitted to the proceedings in support of the Defendants.
 2. The Interveners may lodge a Statement in intervention within a period to be specified by the judge-rapporteur, but no earlier than the time limit for the Defendants to file their statement of Defence.
 3. The Registry is instructed to serve on the Interveners' representatives, as soon as practicable, any written pleadings and exhibits thereto exchanged between the parties.
8. The Defendants expressly support the application to intervene and agree that the Court should admit it. In particular, they confirm that, depending on the outcome of the proceedings, it may be in their interest for the Interveners to be bound by the Court's decision. This is because Defendants 1 to 7, or at least Defendant 1 (in which case the remaining Defendants would likely have a mutual interest as well), may assert claims for legal defects against the Interveners.
9. The Claimant does not object to the application to intervene, but requests that the Court specify the time period for the statement in intervention no later than 16 July 2026.
10. According to the Claimant, it cannot be ruled out that the Interveners waited until now intentionally, in order to receive a submission deadline later than that of the Defendants, with the aim of establishing a second time regime. After all, the Defendants' sent their letter to the Interveners on 4 May 2026, that is, five weeks earlier. The Claimant points out that such a second time regime is not foreseen in the Rules of Procedure. Furthermore, a late request to join the case as interveners must not delay the proceedings.

GROUNDS FOR THE ORDER:

11. R. 314 RoP states that the judge-rapporteur shall decide on the admissibility of an application to intervene by way of order.

Admissibility of the application to intervene

12. The application to intervene is admissible.
13. All formal requirements set out in R. 313 RoP have been met.
14. The Intervener has also established a legal interest in the result of the current proceedings in accordance with R. 313.1 RoP.
15. A legal interest in the result of the action within the meaning of this provision means a direct and present interest in the grant of the order or decision as sought by the party, whom the applicant wishes to support (UPC_CoA_404/2023, Order of 10 January 2024, para. 12 – Ocado v. Autostore; UPC_CoA_621/2024, Order of 8 January 2025, para. 12 – Mediatek v. Daedalus).
16. In this case, the Interveners have a legal interest in the order sought by the Defendants. If an injunction and other legal consequences are ordered against the Defendants, the Interveners could face a recourse claim. Defendant 1 has announced that it reserves all rights in connection with a possible defect in title of the product developed by the Interveners. The Interveners therefore have a direct and present interest in the dismissal of the infringement action against the Defendants and in the revocation of the patent in suit.

Information of the parties

17. The order regarding the information of the parties follows from R. 315.1(a) RoP.

Time limit

18. Pursuant to R. 315.1(b) RoP, the judge-rapporteur shall specify a period within which the intervener may lodge a statement of intervention.
19. To ensure an efficient deadline regime, the Court considers it appropriate to align the time limits for the supported party and the Interveners. Consequently, the Interveners will have the opportunity to submit a statement in intervention by the deadline for the statement of defence, which is 16 July 2026.

Service

20. Pursuant to R. 315.2 RoP, the Registry shall as soon as practicable serve on the intervener any written pleading served by the parties. No separate order is required for this purpose.
21. As the Interveners shall be treated as a party (see R. 315.4 RoP), they will be granted access to the CMS.

ORDER:

1. The application to intervene is admissible. The Interveners are admitted to the proceedings in support of the Defendants.
2. The parties are hereby informed of the admissibility of the application to intervene.
3. The Interveners have the opportunity to lodge a statement in intervention within the Defendants' deadline for filing the statement of defence and a counterclaim for revocation (16 July 2026).

Issued in Düsseldorf on 26 June 2026

NAME AND SIGNATURE

Judge Dr Schumacher