



Reference no.:  
UPC\_CoA\_826/2024  
APL\_67135/2024  
App\_67329/2024

**Order**  
**of the Court of Appeal of the Unified Patent Court**  
**issued on 23 December 2024**  
**concerning an application for protection of confidential information (Rule 262 RoP)**

APPLICANT AND DEFENDANT IN THE MAIN PROCEEDINGS BEFORE THE COURT OF FIRST INSTANCE

**Microsoft Corporation**, One Microsoft Way, 98052-6399 Redmond, USA (hereinafter "**Microsoft**"), represented by Prof. Tilmann Müller-Stoy, attorney at law, Bardehle Pagenberg, Partnerschaft mbB Patentanwälte Rechtsanwälte

RESPONDENT AND CLAIMANT IN THE MAIN PROCEEDINGS BEFORE THE COURT OF FIRST INSTANCE

**Suinno Mobile & AI Technologies Licensing Oy**, PO Box 346, 00131 Helsinki, Finland (hereinafter "**Suinno**"), represented by Mikko Kalervo Väänänen, Suinno Oy

PATENT IN SUIT  
EP 2 671 173

DECIDING JUDGE  
Emmanuel Gougé, Legally qualified judge and Standing judge

LANGUAGE OF THE PROCEEDINGS  
English

IMPUGNED ORDER OF THE COURT OF FIRST INSTANCE

- Order of the Court of First Instance of the Unified Patent Court, Central division Paris, dated 26 November 2024
- Reference numbers: App\_55394/2024  
ORD\_62379/2024  
ACT\_18406/2024  
UPC\_CFI\_164/2024

SUMMARY OF THE FACTS AND APPLICATION

In its application filed on 19 December 2024, Microsoft has requested that Exhibit BP 01, which was filed together with its R 220.3 application for discretionary review and which contains confidential information, shall be treated as confidential and not be used or disclosed outside of the present legal

dispute.

It has filed its application by reference to the provisions of R 262A RoP (“protection of confidential information”) and provided both a confidential and unredacted version and a non-confidential redacted version of said Exhibit BP 01.

#### REASONS

The application for confidentiality must be granted.

R 262A RoP refers to the protection of confidential information between parties involved in a particular dispute, while R 262 RoP refers to the public access to the register and the protection of confidential information towards the public.

R 262.2 RoP provides that a party may request that certain information of written pleadings or evidence be kept confidential and provide specific reasons for such confidentiality.

Microsoft has requested that certain information be kept confidential and not accessible to the public and has given specific reasons thereto.

Exhibit BP 01, for which confidentiality of some information is requested, is a document dated 03 December 2024 entitled “Confidential Global Licence & Art 79 UPCA Settlement offer to Microsoft” signed by Suinno’s representative.

This document, in its original version, is obviously known by Suinno and its representative and, as a result, does not require a restriction of access to specific persons pursuant to R 262A RoP.

Instead, considering the confidential nature of some information contained therein, its original confidential version shall be treated as confidential and shall not be available to the public.

#### PROCEDURAL ORDER

The application for confidentiality of Exhibit BP 01 is granted.

This order was issued on 23 December 2024.

Emmanuel Gougé  
Legally qualified judge and Standing judge