

Germany: Fahrzeugscheibe II, Federal Court of Justice of Germany, X ZR 41/14, 21 June 2016

Kluwer Patent Blog

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Thorsten Bausch (Hoffmann Eitle)

Please refer tot his post as: Thorsten Bausch, 'Germany: Fahrzeugscheibe II, Federal Court of Justice of Germany, X ZR 41/14, 21 June 2016', Kluwer Patent Blog, March 9 2017, <http://kluwerpatentblog.com/2017/03/09/germany-fahrzeugscheibe-ii-federal-court-of-justice-of-germany-x-zr-4114-21-june-2016/>

The Federal Court of Justice held that the defence of the patent in suit on the basis of claims filed only at the appeal stage as an auxiliary request can nevertheless be considered to be expedient if the Patent Court had only informed the Defendant in the oral proceedings that it no longer intended to follow the view expressed in its preliminary opinion, pursuant to Sec. 83(1) Patent Act.

A full summary of this case has been published on Kluwer IP Law



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