

Data processing method, Federal Court of Justice (Bundesgerichtshof), 20 January 2009

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The Federal Court of Justice clarified the interdependencies of its case law concerning computer implemented inventions. An application has technical character if a non technical feature is inserted in a technical process. The comprehensive inspection of the object of the application does not allow discretionary weighing of technical and nontechnical parts. Due to the exemption from patentability of Section 1 Paragraph 3 No. 3 German Patents Act, the application has to solve a technical problem by technical means. Therefore only technical aspects are relevant to assert the exemption.

The full summary of this case has been posted on [Kluwer IP Law](#).