

CSL Behring v. Common Services Agency - insufficiency, European Patent Office (Appeals Court), 23 January 2009

Kluwer Patent Blog
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The degree of effectiveness of the invention (here: the removal of prion proteins) is an issue related to the technical problem solved by the invention. This is to be considered when assessing inventive step, and is thus not relevant for sufficiency of disclosure. As the invention is sufficiently disclosed in the specification, the fact that none of the examples illustrate the claimed invention has no negative impact on the sufficiency of disclosure since a worked example is not necessary for the skilled person to be able to carry out the invention.

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