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MP3-Player-Import, Federal Court of Justice (Bundesgerichtshof), 17 September 2009

Anja Lunze · Monday, September 7th, 2009

The German Federal Supreme Court decided that a forwarder has no procedural obligation to provide essential information for an eligible denial. Hence, a forwarder can plead ignorance concerning the accordance of the transported good with technical teaching of the claimed invention. A forwarder has no general auditing duty concerning infringement of industrial property rights by transported goods. However, a forwarder can have the duty of gathering information and if necessary testing the goods, if there are precise indications for infringements of industrial property rights.

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

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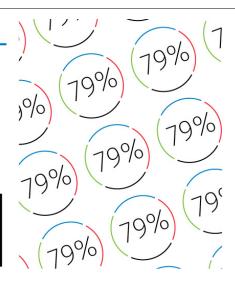
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