

Kirin Amgen, Inc. v. State Patent Bureau of the Republic of Lithuania, Supreme Court of Lithuania (Lietuvos Aukščiausiasis Teismas), 8 December 2010

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Mindaugas Kiskis

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In this case the claimant filed an application for a supplementary protection certificate (SPC), however the application was refused by the Lithuanian patent office. Appeals before national courts were unsuccessful. The Supreme Court referred the question whether the six-month period for application for an SPC begins on the date of granting Community marketing authorization, or rather the day the SPC regulation came into force in Lithuania, to the European Court of Justice. Pursuant to the EJC's preliminary ruling holding that the date of grant of the market authorization is the relevant date, the Supreme Court concluded that the application period had lapsed.

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