

## **N.A. v. N.A., Supreme Court (Oberster Gerichtshof), 19 September 2011**

Kluwer Patent Blog  
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Christian Gassauer-Fleissner

*Please refer to this post as: Christian Gassauer-Fleissner, 'N.A. v. N.A., Supreme Court (Oberster Gerichtshof), 19 September 2011', Kluwer Patent Blog, March 16 2012, <http://patentblog.kluweriplaw.com/2012/03/16/n-a-v-n-a-supreme-court-oberster-gerichtshof-19-september-2011/>*

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The right to an unpatented invention does not entitle to its exclusive use; it ceases to exist if the invention is made public without patent protection. The right to an unpatented invention encompasses no more than (i) the right to file a patent application and (ii) the right to claim the patent, in case a third party registers the patent in bad faith.  
Click [here](#) for the full text of this case.

A summary of this case will be posted on <http://www.KluwerIPCases.com>