

## Take Five, Federal Court of Justice (Bundesgerichtshof), 19 July 2012

Kluwer Patent Blog  
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Jochen Buehling (Krieger Mes Graf & v. der Groeben)

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In an earlier decision (BGH M2Trade), the Court held that the termination of the main license agreement does not automatically lead to a termination of the sublicense. It remains in force when the main license is terminated for reasons such as a mutual agreement of the main licensor and the main licensee who is also the sub-licensor. The Court applied this principle in the present case in which the license was exclusive. According to the Court, the interests of the sub-licensee were to prevail over the interests of the main licensor.

Click [here](#) for the full text of this case.

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