

## Germany: Transit of Patent Infringing Goods, Federal Court of Justice of Germany, X ZR 72/13, 25 June 2014

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Goods placed in transit proceedings do not infringe a patent in the transit country. It is not relevant whether the goods were placed in so-called "T1" external transit proceedings or in "T2" transit proceedings where goods are declared to be released for free circulation on the market of the European Union and are forwarded without sealing. Patent infringement may only be assumed if the goods are subject to a sales transaction in the transit country or if the goods are imported for this purpose. This must be examined on a case-by-case basis.

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