

Kluwer Patent Blog

Finland: Sandoz vs. MSD, Supreme Court Helsinki, Market Court of Finland, 821/15, 29 April 2016

newgenblog and Elina Saxlin-Hautamäki (Roschier) · Monday, October 24th, 2016

The Finnish Market Court, as the court of first instance, ruled that the reversed burden of proof which is applied in infringement proceedings involving patents granted for manufacturing processes of novel products is also applicable in preliminary injunction matters. As the parties had submitted completely contrary expert opinions, which could not be assessed within the context of preliminary injunction proceedings, the defendant had not established that it was more likely than not that the generic product did not infringe the supplementary protection certificate in question. The court therefore granted the injunction. The Court also ruled that under certain circumstances it was allowed to add a new patent-in-suit during the preliminary injunction proceedings.

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

To make sure you do not miss out on regular updates from the Kluwer Patent Blog, please subscribe [here](#).

Want to improve your IP strategy?

- Manual of Industrial Property
- IP Analytics
- Visser – Annotated European Patent Convention

230+ jurisdictions
36,000+ cases
100+ books
600+ IP law professionals as authors

Request a free demo now
KluwerIPLaw.com

Wolters Kluwer

This entry was posted on Monday, October 24th, 2016 at 2:00 pm and is filed under [Finland](#)

You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. Both comments and pings are currently closed.