## **Kluwer Patent Blog**

## Germany: Sektionaltor II, Federal Court of Justice of Germany, X ZR 85/14, 16 May 2017

Jochen Buehling (Krieger Mes Graf & v. der Groeben) · Friday, November 17th, 2017

This case concerns the relationship between two co-owners of a patent and in particular the issue of whether and under what conditions one co-owner can claim compensation in respect of the use of the invention by the other co-owner. The FCJ held that an assessment of the potential claim of a co-owner for compensation for the use by the other co-owner depends on the reasons why the claimant has refrained from its own use of the invention. One of the reasons might be the uncertain situation as to who should be considered the legitimate owner of the patent. As long as there is uncertainty about the ownership, a (potential) co-owner may have a valid reason not to use the invention which would then allow him to request compensation for the use by the other co-owner.

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.

## Kluwer IP Law

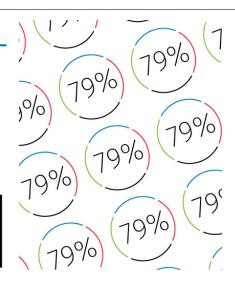
The **2022 Future Ready Lawyer survey** showed that 79% of lawyers think that the importance of legal technology will increase for next year. With Kluwer IP Law you can navigate the increasingly global practice of IP law with specialized, local and cross-border information and tools from every preferred location. Are you, as an IP professional, ready for the future?

Learn how Kluwer IP Law can support you.

79% of the lawyers think that the importance of legal technology will increase for next year.

Drive change with Kluwer IP Law.

The master resource for Intellectual Property rights and registration.



2022 SURVEY REPORT The Wolters Kluwer Future Ready Lawyer

Leading change



This entry was posted on Friday, November 17th, 2017 at 8:37 am and is filed under Case Law, Germany

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