

Patent case: T1955/13, EPO

Kluwer Patent Blog
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[Lars de Haas \(V.O.\)](#)

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An EPO board of appeal observed that a careful opponent that is economically active in the same field as the patentee should search for internal evidence of public prior use before filing an opposition. If such internal evidence is filed belatedly, the fact the search was started only after filing the opposition per se is insufficient to make the evidence admissible, even if the late filing was due to a failure to see the need for such a search (a lack of care) rather than intent to withhold the evidence.

Case date: 09 May 2017

Case number: ECLI:EP:BA:2017:T195513.20170509

Court: European Patent Office (EPO), Board of Appeal

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