

# Germany: Vakuumgestütztes Behandlungssystem, Higher Regional Court of Düsseldorf, I-15 U 4/17, 29 June 2017

**Kluwer Patent Blog**

March 5, 2018

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

*Please refer to this post as: Jochen Buehling, 'Germany: Vakuumgestütztes Behandlungssystem, Higher Regional Court of Düsseldorf, I-15 U 4/17, 29 June 2017', Kluwer Patent Blog, March 5 2018, <http://patentblog.kluweriplaw.com/2018/03/05/germany-vakuumgestuetztes-behandlungssystem-higher-regional-court-dusseldorf-15-u-417-29-june-2017/>*

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This case concerns the issue of the urgency required in order to justify a preliminary injunction for patent infringement. The CoA Düsseldorf had to deal with the question of whether the Petitioner may wait for the outcome of a pending invalidation action before filing a motion for a preliminary injunction. The CoA Düsseldorf confirmed that it was acceptable to wait for at least the first instance decision. However, in general it is sufficient to know the result of this outcome and waiting further for the written grounds of the decision shall generally be considered to destroy the urgency.

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