

## Patent case: Borrelioseassay, Germany

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The FCJ held that an in vitro assay for testing for a specific immunological binding (namely testing for antibodies against *Borrelia burgdorferi*) using a polypeptide defined by its amino acid and a polypeptide defined by the nucleic acid sequence encoding the same, or a polypeptide encoded by segments of the nucleic acid sequence, is sufficiently disclosed if the assay can be performed with the full length polypeptide with a practically useful result, even if more suitable segments cannot be identified without an inventive effort.

Case date: 17 January 2017

Case number: X ZR 11/15

Court: Federal Court of Justice of Germany

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