

## Patent case: Luminaire (Leuchte), Germany

Kluwer Patent Blog  
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[Dominik Scheible \(Hoffmann Eitle\)](#)

*Please refer to this post as: Dominik Scheible, 'Patent case: Luminaire (Leuchte), Germany', Kluwer Patent Blog, July 9, 2018, <http://patentblog.kluweriplaw.com/2018/07/09/germany-luminaire-leuchte-federal-court-justice-germany-x-ur-12515-19-december-2017/>*

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The Federal Court of Justice held that the correct assessment of the involvement of an inventive activity requires that the problem is first identified without knowledge of the invention. This is necessary for localising the appropriate starting point for the skilled person's desire to provide a contribution to the arts. It is not admissible to consider elements of the claimed invention when formulating the objective technical problem.  
Case date: 19 December 2017  
Case number: X UR 125/15  
Court: Federal Court of Justice of Germany

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