

# Kluwer Patent Blog

## Patent case: E-Ink, Germany

Roland Schieren (Hoffmann Eitle) · Monday, January 28th, 2019

This decision by the FCJ confirms that, when assessing the disclosure of a prior art document, it is not permissible to supplement the disclosure with specialist knowledge of a person skilled in the art.

The FCJ also confirmed that prior art documents filed during appeal proceedings are to be admitted into the procedure if the Patent Court in its hint issued in accordance with sec. 83 para. 1 German Patent Act indicated that the Plaintiff's reasoning on a particular point was deemed to be correct.

Case date: 12 January 2017

Case number: X ZR 20/15

Court: Federal Court of Justice of Germany

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

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This entry was posted on Monday, January 28th, 2019 at 2:27 pm and is filed under [Case Law, Germany](#)

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