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Patent case: II GSK 795/17, Poland

Krystyna Szczepanowska-Kozłowska (Allen & Overy) · Tuesday, October 6th, 2020

The Supreme Administrative Court held that the publication of an application for a European patent that included the description of an industrial design in the relevant journal before the protection for such design was requested meant that the relevant design had been made available to the public and thus was not eligible for registration. With this in mind, the Supreme Administrative Court upheld the decision of the Polish Patent Office to invalidate the industrial design right. This decision was reached notwithstanding the fact that the European patent for the invention disclosed in the above-mentioned patent application was ultimately not granted.

Case date: 09 October 2019

Case number: II GSK 795/17

Court: Supreme Administrative Court of Poland

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

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