

## Patent case: Nichtigerklärung des Klagepatents II, Germany

Kluwer Patent Blog  
December 29, 2020

Christian Buchholz (Krieger Mes & Graf v. der Groeben)

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The decision concerns the provisional enforcement of a court judgment on patent infringement. In an earlier decision in the same proceedings the Federal Court of Justice (FCJ) ruled that where the patent in suit is declared invalid the provisional enforcement of the infringement judgment is to be suspended. Now the FCJ has confirmed that the suspension is to be lifted when the nullity decision is reversed on appeal.

Case date: 16 July 2020  
Case number: X ZR 22/17 (ECLI:DE:BGH:2020:160620BXZR22.17.0)  
Court: Federal Court of Justice of Germany

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