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Data carrier, Administrative Court of Voivodeship Warsaw (Wojewódzki Sąd Administracyjny w Warszawie), 26 January 2009

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In this case the Court confirmed beyond any doubt that the Polish Patent Office is not an administrative body that shall automatically approve patents granted by the European Patent Office. However, the Patent Office may not base its decision solely on its own convictions and the views expressed in the judgment of a British Court (i. c. Aerotel/Mcrossan). The Court held that this judgment is not consistent with the views presented by the EPO Boards of Appeal and therefore can not be recognized as sufficient to justify the refusal to grant a patent when the filled application is the subject of a European patent.

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

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