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Yeda v. OCNL, Administrative Law Division of the Council of State (Afdeling Bestuursrechtspraak Raad van State), 27 May 2009

Peter Burgers (Brinkhof) · Wednesday, May 27th, 2009

The Administrative Law Division of the Council of State holds that the District Court has rightfully found that the Patent Office was not obligated to issue a Supplementary Protection Certificate for the medicinal product cetuximab. Article 73 (1) of the Dutch Patents Act 1995 on indirect infringement, does not in all circumstances protect the patentee against the sale or distribution of cetuximab, an essential means regarding the patented combination of cetuximab and irinotecan.

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

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