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Agfa v. Xingraphics, District Court The Hague (Rechtbank Den Haag), 22 July 2009

Daan de Lange (Brinkhof) · Wednesday, July 22nd, 2009 · Landmark European Patent Cases

In these infringement proceedings initiated by Agfa against Xingraphics the Court held Agfa's patent valid and dismissed Xingraphics cross border declaration of non-infringement due to lack of jurisdiction. Agfa's infringement claim was dismissed as it was not sufficiently substantiated. Agfa was not allowed to supplement its evidence, since it had failed in a previous stage to submit its evidence timely. The sending of warning letters by the patentee is allowed, unless the patentee knows or should know in advance that it cannot substantiate infringement.

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

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