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Monoclonal NGF-antagonist antibodies/LAY LINE, European Patent Office (EPO Board of Appeal), 04 August 2009

Bart van Weezenbeek · Tuesday, August 4th, 2009 · Landmark European Patent Cases

The Board of Appeal decided that the following applies as regards to sufficiency of disclosure: (1) the skilled person should be able to realise without undue burden substantially any embodiment falling in the ambit of a claim on the basis of the disclosure and/or common general knowledge; (2) the objection of lack of sufficient disclosure presupposes that there are serious doubts, substantiated by verifiable facts; (3) it depends on the evidence available in each case whether or not a claimed invention can be considered as enabled on basis of the disclosure of one worked example; (4) the mere fact that a claim is broad is not in itself a ground for considering the application as not fulfilling the requirements of sufficient disclosure.

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

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