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MP3-Player-Import, Federal Court of Justice (Bundesgerichtshof), 17 September 2009

Anja Lunze · Monday, September 7th, 2009

The German Federal Supreme Court decided that a forwarder has no procedural obligation to provide essential information for an eligible denial. Hence, a forwarder can plead ignorance concerning the accordance of the transported good with technical teaching of the claimed invention. A forwarder has no general auditing duty concerning infringement of industrial property rights by transported goods. However, a forwarder can have the duty of gathering information and if necessary testing the goods, if there are precise indications for infringements of industrial property rights.

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

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