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Olanzapin, District Court The Hague (Rechtbank Den Haag), 24 March 2010

Mark van Gardingen (Brinkhof) · Sunday, April 18th, 2010 · Landmark European Patent Cases

The District Court of The Hague holds the Dutch part of Eli Lilly's olanzapine patent and SPC invalid because the substance olanzapine has been directly and unambiguously disclosed in a prior art document. According to the Court, the person skilled in the art will immediately recognize the error and the correction for this error in the same prior art document.

The Court notes that its decision deviates from court decisions in several other jurisdictions, such as in Germany, the United Kingdom and the United States. However, the Court does not specifically motivate why it has come to a different decision.

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

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