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Denmark: Fritz Amstrup v. DKPTO Board of Appeals, Supreme Court (Højesteret), 21 August 2008

Anders Valentin (Bugge Valentin) · Friday, September 3rd, 2010

This case concerned the issue of patentability. The Danish Patent and Trademark Office (DKPTO) refused a patent application on the grounds that the invention only consisted in an automation of a known process. This DKPTO decision was appealed before the High Court and subsequently brought before the Supreme Court. The Supreme Court upheld the High Court decision that very special circumstances must apply to set aside the expert assessment on patentability carried out by the DKPTO and – lacking such evidence – confirmed the refusal of the application.

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

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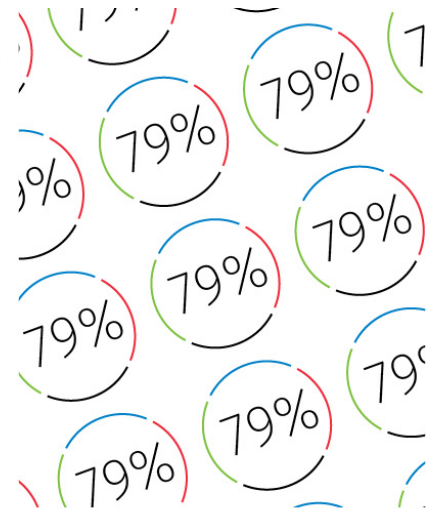
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