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Norway: Kvassheim v. SINTEF, Supreme Court (Borgarting Lagmannrett), 22 December 2009

Kaja Veel Midtbø · Friday, September 3rd, 2010 · Landmark European Patent Cases

In this case the Supreme Court affirmed that the transfer of a computer program could be regarded as an act of indirect patent infringement. Although the commissioned research and development of the program was covered by the experimental use/research exemption, a majority of three judges held that the transfer of the results of such research in the form of a 'means' that could be modified and implemented by the commissioning party into an infringing device could incur liability for indirect patent infringement.

A full summary of this case has been published on Kluwer IP Law.

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