
Kluwer Patent Blog

Bayer v. Abbott, Court of First Instance Amsterdam (Rechtbank Den Haag), 20 October 2010

Klaas de Vries · Monday, November 15th, 2010

The District Court of The Hague declares the Dutch part of Bayer's European Patent covering Anti-TNF alpha human monoclonal antibodies invalid. The Court considers that the patent covers high affinity antibodies. However, the Court finds that such type of antibodies is not sufficiently disclosed in the patent specification, and therefore invalidates the patent as a whole. The Court thereby deviates from the prior decision of the TBA, which did not consider the patent to comprise high affinity antibodies (and therefore deemed the whole patent to be enabled, T 0601/05). The Court reaches this decision by referring to the case T 1063/06 by the TBA, which requires the skilled person to be able to carry out the claimed invention without undue burden.

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

To make sure you do not miss out on regular updates from the Kluwer Patent Blog, please [subscribe here](#).

Kluwer IP Law

The **2022 Future Ready Lawyer survey** showed that 79% of lawyers think that the importance of legal technology will increase for next year. With Kluwer IP Law you can navigate the increasingly global practice of IP law with specialized, local and cross-border information and tools from every preferred location. Are you, as an IP professional, ready for the future?

Learn how [Kluwer IP Law](#) can support you.

79% of the lawyers think that the importance of legal technology will increase for next year.

Drive change with Kluwer IP Law.

The master resource for Intellectual Property rights and registration.



2022 SURVEY REPORT
The Wolters Kluwer Future Ready Lawyer
Leading change



This entry was posted on Monday, November 15th, 2010 at 4:30 pm and is filed under [antibodies](#), [Case Law](#), [Netherlands](#), [Validity](#)

You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. Both comments and pings are currently closed.