Kluwer Patent Blog

T385/09 cow milking, European Patent Office (EPO Board of Appeal), 25 november 2010

Lars de Haas (V.O.) · Tuesday, June 28th, 2011

The patent concerned claims a method of cooling animals characterized in that the animals are cooled in a milking stall so that the animals go to the milking stall spontaneously. The patentee added a disclaimer of therapeutic use. The claim covered only carrying out the invention on animals that are neither in a pathological state nor likely to develop one. The Board rejected the opponent's argument that the claim still had to be excluded as a method of therapy because it would inevitably involve therapeutic aspects. 'Therapy' concerned bringing a body from a pathological state back into its normal healthy state or preventing a pathological state. Relief of discomfort is not considered as therapy per se.

Click here for the full text of this case.

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.
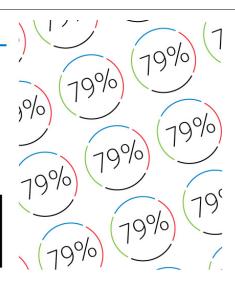
Kluwer IP Law

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.

Wolters Kluwer

2022 SURVEY REPORT
The Wolters Kluwer Future Ready Lawyer
Leading change

This entry was posted on Tuesday, June 28th, 2011 at 2:09 pm and is filed under Case Law, Exceptions to patentability, Sufficiency of disclosure
You can follow any responses to this entry through the Comments (RSS) feed. Both comments and pings are currently closed.