
Kluwer Patent Blog

T1075/06 blood processing, European Patent Office (EPO Board of Appeal), 17 May 2011

Lars de Haas (V.O.) · Saturday, August 6th, 2011

A method claim comprising a step of “providing a donor flow channel for conveying fluid to and from a donor” was found to be excluded from patentability as treatment by surgery and therapy. The Board derived from the description that this step required performing venipuncture and found that venipuncture required professional medical expertise to be carried out. Furthermore, the claim was not allowable as a method which was only concerned with the operation of a device, because it had a step that provided a functional link between the claimed method and the effects produced by the device on the body.

Click [here](#) for the full text of this case.

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

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