
Kluwer Patent Blog

Okklusionsvorrichtung, Federal Court of Justice (Bundesgerichtshof), 10 May 2011

Jochen Buehling (Krieger Mes Graf & v. der Groeben) · Tuesday, September 6th, 2011

In case of actual or potential discrepancies between claim language and the patent description which might allow a broader interpretation the Supreme Court confirms that the claim may not be interpreted to cover all options of the broader description if certain elements of the description have not been reflected in the claim language. Furthermore, such disclosure cannot be brought within the scope of the claims by way of equivalence.

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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This entry was posted on Tuesday, September 6th, 2011 at 11:07 am and is filed under [Case Law](#), [Extent of Protection](#), [Germany](#)

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