
Kluwer Patent Blog

Telescopic jib "Teleskopausleger", Supreme Patent and Trade Mark Senate (Oberster Patent- und Markensenat), 22 December 2010

Christian Gassauer-Fleissner · Wednesday, September 21st, 2011

The difference between “inventiveness” within the meaning of the Austrian Patent Act and “inventive step” within the meaning of the Austrian Utility Model Act is too small to distinguish between these two criteria. Thus, the inventive step pursuant to § 1(1) Utility Model Act requires the same qualitative criteria as inventiveness pursuant to § 1(1) Patent Act, which is the finding of a non-obvious solution for a problem.

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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