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# Kluwer Patent Blog

## Cinch-Stecker (Cinch-Plug), Federal Court of Justice (Bundesgerichtshof), 5 April 2011

Anja Petersen (Hoffmann Eitle) · Wednesday, October 12th, 2011

The proprietor of a patent who has granted an exclusive license to a third party, has the right – in case of patent infringement – to assert its own claims against the infringer if said proprietor has gained continuing economic advantage from having granted the license. If the patentee is the sole shareholder of licensee and shares in the profit earned by the licensee, this is sufficient to fulfill the requirement of ‘continuing economic advantage’.

Click [here](#) for the full text of this case. A summary of this case will be posted on <http://www.KluwerIPCases.com>.

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