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# Kluwer Patent Blog

## Dispute regarding sealing of plastic bags, Maritime and Commercial Court (Sø- og Handelsretten), 15 July 2011

Anders Valentin (Bugge Valentin) · Wednesday, October 12th, 2011

The case determined whether Abena A/S (hereinafter “Abena”) waste bags with lace up sealing, which had a seam with curved corners in one side of the bag, infringed Etradan BS ApS’ (hereinafter “Etradan”) patent nr. DK 176709. The Court found that Etradan did not successfully prove that the extra seam on Abena’s bag was aimed at solving the same problem as the patented bag and consequently the Court found that Abena did not infringe Etradan’s patent.

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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### Kluwer IP Law

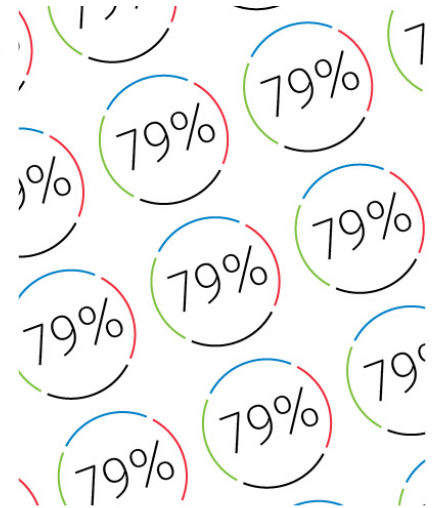
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This entry was posted on Wednesday, October 12th, 2011 at 3:03 pm and is filed under [Case Law](#), [Denmark](#), [Enforcement](#), literally fulfil all features of the claim. The purpose of the doctrine is to prevent an infringer from stealing the benefit of an invention by changing minor or insubstantial details while retaining the same functionality. Internationally, the criteria for determining equivalents vary. For example, German courts apply a three-step test known as Schneidmesser's questions. In the UK, the equivalence doctrine was most recently discussed in *Eli Lilly v Actavis UK* in July 2017. In the US, the function-way-result test is used.">Equivalents, Extent of Protection  
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