## **Kluwer Patent Blog**

## Pullman-Ermator v. Dustcontrol, Court of Patent Appeals Stockholm (Svea Hovrätt Stockholm), 27 April 2010

Giovanni Gozzo · Wednesday, October 12th, 2011 · Landmark European Patent Cases

By Giovanni Gozzo and David Nilsson

The Svea Court of Appeal partially invalidated the patent of respondent Dustcontrol, insofar as claim 1 of the patent was concerned. The Court held that it could not be deduced from claim 1 that the filter cartridge at issue in claim 1 must be a unit that neither can nor needs to be taken apart, as previously held by the District Court. The skilled person would consider both this and the option with a unit that can be taken apart possible and covered by the claim. In the end, the Court upheld an amended patent in accordance with Dustcontrol's auxiliary request.

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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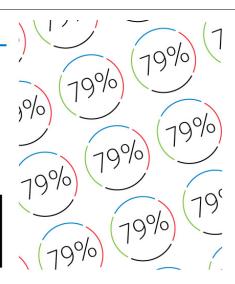
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This entry was posted on Wednesday, October 12th, 2011 at 2:35 pm and is filed under G 1/93, OJ 1994, 541) The 'gold standard' of the European Patent Office's Board of Appeal is that any amendment can only be made within the limits of what a skilled person would derive directly and unambiguously, using common general knowledge, and seen objectively and relative to the date of filing, from the whole of the documents as filed (G 3/89, OJ 1993,117; G 11/91, OJ 1993, 125).">Amendments, Case Law, Inventive step, Novelty, Sweden, Validity

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