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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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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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