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# Kluwer Patent Blog

## Panitumumab, Federal Administrative Court (Bundesverwaltungsgericht), 18 August 2011

Andri Hess (Homburger AV) · Friday, January 13th, 2012

An SPC can only be granted if the product falls within the scope of protection of the basic patent. If the basic patent claims a combination of two known components (i.e. a monoclonal antibody with a neoplastic agent), that combination is the patent's contribution to the art. An individual component is not equivalent to the patented combination and does not fall within the scope of protection of the basic 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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This entry was posted on Friday, January 13th, 2012 at 4:12 pm and is filed under [Case Law](#), 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, SPC, Switzerland  
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