

# Kluwer Patent Blog

## T1553/06, European Patent Office (Appeals Court), 12 March 2012

Lars de Haas (V.O.) · Monday, July 30th, 2012

The board addressed the public availability of publications on the internet, holding that direct and unambiguous access of a document should be possible in order to become state of the art. A mere theoretical possibility of having access is not sufficient, nor is retrievability by a search engine per se. A safe test is that the document (1) is retrievable with the help of a public search engine by using one or more keywords all related to the essence of the content thereof; and (2) remained accessible at its URL for a period of time long enough for a member of the public to have direct and unambiguous access thereto.

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

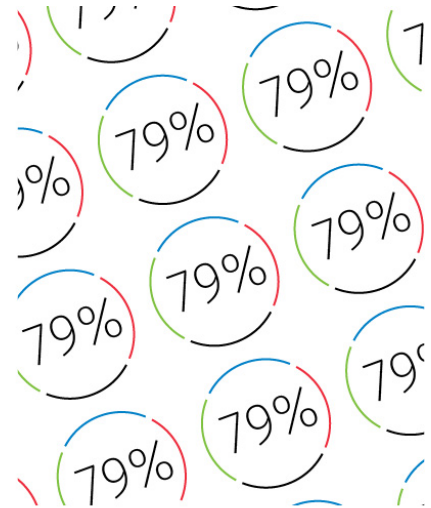
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