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Pharmaceutical Price Index, Supreme Court (Oberster Gerichtshof), 12 June 2012

Christian Gassauer-Fleissner · Monday, December 10th, 2012

The act of including a generic product into the official Austrian pharmaceutical product index before expiry of the relevant patent/SPC, is considered an act of “putting into circulation” and therefore a patent infringement. By the same token the act of applying for reimbursement by an application to be included into the “Red Box” pursuant to the Code of Reimbursement of the Association of (Austrian) Social Security Carriers constitutes patent infringement.

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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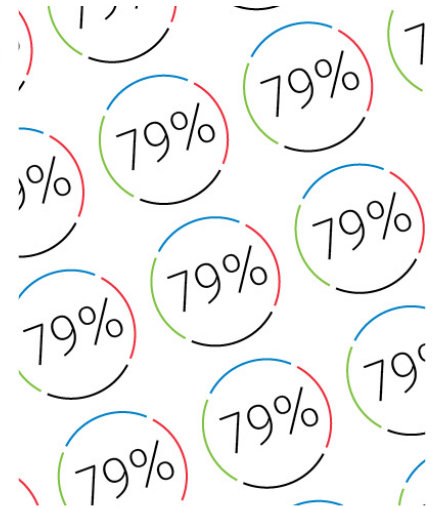
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