
Kluwer Patent Blog

T1496/11, European Patent Office (Appeals Court), 12 September 2012

Lars de Haas (V.O.) · Friday, December 21st, 2012

The Technical Board of Appeal ruled that a claim of an opposed patent was anticipated by the publication of a divisional of that same patent. Because the claim contained an intermediate generalization with respect to the priority document, the claim was not entitled to priority. The divisional was however entitled to claim priority for the description of an embodiment that fell under the claim, and was therefore damaging for the novelty of the 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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