

---

# Kluwer Patent Blog

## Clinique happy, Federal Court of Justice (Bundesgerichtshof), 25 April 2012

Anja Petersen (Hoffmann Eitle) · Friday, February 22nd, 2013

The uninterrupted transit of goods designated with a trademark that is protected in Germany does not constitute an infringement of the trademark right according to German law. Should the trademark be protected in the country of destination, a foreign IP right will not be protected, owing to the principle of territory of property rights, as “property” under German tort law. Consequently, transit does not constitute a partial tortious act under German tort law. A precautionary claim to cease and desist import may exist pursuant to the law of the country of destination.

A summary of this case will be posted on <http://www.Kluweriplaw.com>

---

*To make sure you do not miss out on regular updates from the Kluwer Patent Blog, please [subscribe here](#).*

### Kluwer IP Law

The **2022 Future Ready Lawyer survey** showed that 79% of lawyers think that the importance of legal technology will increase for next year. With Kluwer IP Law you can navigate the increasingly global practice of IP law with specialized, local and cross-border information and tools from every preferred location. Are you, as an IP professional, ready for the future?

Learn how **Kluwer IP Law** can support you.

---

79% of the lawyers think that the importance of legal technology will increase for next year.

**Drive change with Kluwer IP Law.**

The master resource for Intellectual Property rights and registration.



2022 SURVEY REPORT  
The Wolters Kluwer Future Ready Lawyer  
Leading change



This entry was posted on Friday, February 22nd, 2013 at 3:09 pm and is filed under [\(Cross-border\) jurisdiction](#), [Case Law](#), [Enforcement](#), [Germany](#), [Injunction](#), [Procedure](#)

You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. Both comments and pings are currently closed.