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# Kluwer Patent Blog

## Omnipharm Limited / SAS Merial, Court of Appeal Paris (Cour d'appel Paris), 17 February 2012

Emmanuel Gougé (Pinsent Masons) · Friday, March 22nd, 2013

The Paris Court of Appeal clarified the interest of a potential competitor to seek the revocation of a patent. It was particularly unclear whether any competitor, current or potential, could have a legitimate interest in the form of a “clear the path” approach. However, in this case the Court held that Omnipharm had no legitimate interest to seek revocation of Merial’s patents, as it had failed to prove that it would be able to develop and market a competing product.

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

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