Kluwer Patent Blog

Diglycidverbindung (Diglycidyl Compounds), Federal Court of Justice (Bundesgerichtshof), 13 November 2011

Jochen Buehling (Krieger Mes Graf & v. der Groeben) · Sunday, July 14th, 2013

Under the doctrine of equivalents, a patent does not convey protection for all options disclosed in the broader patent description if these options are not specifically included in the patent claims.

Click here for the full text of this case.

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

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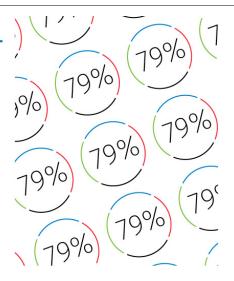
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This entry was posted on Sunday, July 14th, 2013 at 8:30 pm and is filed under Case Law, literally fulfil all features of the claim. The purpose of the doctrine is to prevent an infringer from stealing the benefit of an invention by changing minor or insubstantial details while retaining the same functionality. Internationally, the criteria for determining equivalents vary. For example, German courts apply a three-step test known as Schneidmesser's questions. In the UK, the equivalence doctrine was most recently discussed in Eli Lilly v Actavis UK in July 2017. In the US, the function-way-result test is used.">Equivalents, Germany

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