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Dipeptidyl-Peptidase-Inhibitoren, Federal Court of Justice Germany, 11 September 2013

Thorsten Bausch (Hoffmann Eitle) · Monday, April 7th, 2014

- a) The applicant is not obliged to limit the protective scope to explicitly described embodiments, but may make certain generalisations to cover the entire invention.
- b) Whether a claim containing generalisations is enabled depends on whether the protective scope extends beyond the most generalized teaching solving the underlying problem.
- c) Functionally describing a group of compounds is not precluded by the fact that such wording encompasses not only compounds already known in the art or disclosed in the specification, but also compounds that may be provided in the future; even if their provision requires inventive activity.

The [full summary](#) of this case has been published on [Kluwer IP Law](#).

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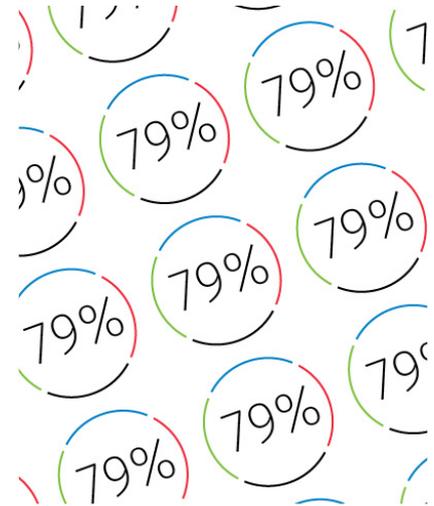
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