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France: Valorom v. Urba Waste & Vauche, Court of First Instance of Paris, RG 12/05288, 2 May 2014

Emmanuel Gougé (Pinsent Masons) · Wednesday, February 4th, 2015

When does prior private use give a party the right to continue using the invention? Any person may claim personal possession on the ground of Article L. 613-7 of the French Intellectual Property Code providing that said person proves possession of the invention prior to the filing date or priority date of the patent. In a decision of 2 May 2014, the Paris Court of First Instance rejected a prior personal possession claim considering that the implementation plans of the invention are not sufficient evidence to demonstrate the required prior possession.

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

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