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Germany: Zwangsvollstreckung bei kartellrechtlichem Zwangslizenzeinwand, Higher Regional Court of Karlsruhe, 6 U 162/13, 19 February 2014

Jochen Buehling (Krieger Mes Graf & v. der Groeben) · Thursday, March 5th, 2015

The CoA Karlsruhe held that the fact that a referral is pending before the CJEU regarding the issues of the criteria for raising the FRAND defense (C-170/13 Huawei) does not justify the suspension of the enforcement of an infringement judgment issued against a defendant. The court also expressed their expectation that – even after a future decision of the CJEU modifying the criteria set up by the Federal Court of Justice (BGH) in the Orange Book case – the minimum requirements of an acceptable offer and to render accounts for past infringement will still apply.

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

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