
Kluwer Patent Blog

Germany: Analog-Digital-Wandler, Federal Patent Court of Germany, X ZR 2/13, 27 May 2014

Jochen Buehling (Krieger Mes Graf & v. der Groeben) · Thursday, April 16th, 2015

The FCJ held that the Defendant in a nullity action is only required to prepare an auxiliary request following the preliminary opinion of the Federal Patent Court which takes those aspects into consideration which were mentioned by the Patent Court. In general, there is no reason for the Defendant to prepare additional auxiliary requests with regard to other attacks which were not addressed by the Patent Court in the preliminary opinion or which were considered by the Patent Court as not successful.

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

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