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EPO: T 1727/12, European Patent Office, Board of Appeal, Publication Number: 1767375, 1 February 2016

Lars de Haas (V.O.) · Wednesday, June 15th, 2016

The Board of Appeal held that “Biogen insufficiency”, the situation in which the full extent of the monopoly claimed exceeds the technical contribution to the art, is not a distinct ground for invalidity from “classical insufficiency”. Further, the fact that a skilled person is not able to carry out the invention without using the disclosed specific implementation of a generic claim feature is in itself not sufficient to find insufficient disclosure.

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

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