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Germany: Fahrzeugscheibe II, Federal Court of Justice of Germany, X ZR 41/14, 21 June 2016

Thorsten Bausch (Hoffmann Eitle) · Thursday, March 9th, 2017

The Federal Court of Justice held that the defence of the patent in suit on the basis of claims filed only at the appeal stage as an auxiliary request can nevertheless be considered to be expedient if the Patent Court had only informed the Defendant in the oral proceedings that it no longer intended to follow the view expressed in its preliminary opinion, pursuant to Sec. 83(1) Patent Act.

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

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