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Sweden: Beamocular AB v. C-Rad Positioning AB, case No. PMT 10360-16, Patent and Market Court of Appeal of Sweden, PMT 10360-16, 20 June 2017

Beatrice Nybert (World Trade Institute) · Tuesday, October 24th, 2017

Beamocular brought proceedings against C-Rad, alleging that Beamocular had the superior right to an Invention made by K.M. who was at the time an employee of C-Rad.

The Swedish Patent and Market Court of Appeals confirmed that the primary work duties of K.M. did not constitute research activities and therefore the Invention was not a so-called “research invention”, nor was it a solution to a specified task in K.M.’s work for C-Rad. However, the Court applied an offer-accept model in accordance with principles of contract law to a so-called “Assignment” document between K.M. and C-Rad, and concluded that it did constitute a valid assignment. Therefore the Invention had been validly transferred to C-Rad.

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

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