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Patent case: Vakuumgestütztes Behandlungssystem, Germany

Jochen Buehling (Krieger Mes Graf & v. der Groeben) · Monday, March 5th, 2018

This case concerns the issue of the urgency required in order to justify a preliminary injunction for patent infringement. The CoA Düsseldorf had to deal with the question of whether the Petitioner may wait for the outcome of a pending invalidation action before filing a motion for a preliminary injunction. The CoA Düsseldorf confirmed that it was acceptable to wait for at least the first instance decision. However, in general it is sufficient to know the result of this outcome and waiting further for the written grounds of the decision shall generally be considered to destroy the urgency.

Case date: 29 June 2017

Case number: I-15 U 4/17

Court: Higher Regional Court of Düsseldorf

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

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