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Patent case: Monolithic multilayer actuator, Germany

Dominik Scheible (Hoffmann Eitle) · Thursday, May 24th, 2018

The FCJ held that when assessing inventive step the claim should be interpreted so that the disclosed embodiments are taken into account. Prior art that is far removed from the disclosed embodiments can thus not be assumed to disclose the most important features. Further, it was again confirmed that prior art that already provides a solution to a relevant problem does not provide an indication for the skilled person to look for (another) solution.

Case date: 19 December 2017

Case number: X ZR 21/16

Court: Federal Court of Justice of Germany

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

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