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Patent case: Reit-/Fahrhalfter, Germany

Jan Zillies (Hoffmann Eitle) · Monday, May 28th, 2018

The Federal Patent Court (FPC) ruled on the interplay between limitation proceedings before the EPO and a national nullity action, and the circumstances in which a request for a declaratory judgment concerning (partial) termination of proceedings in relation to the limited part of the patent is admissible and well-founded. The FPC held that where the limitation is granted, this does not necessarily lead to the patentee bearing the costs. Instead, the decision on the costs will be taken based on the prospects of the original nullity action.

Case date: 10 December 2015

Case number: 2 Ni 39/13 (EP)

Court: Federal Patent Court of Germany

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

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