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Patent case: MARKT SP '94 S.L. v. LOGO PAINT A/S, Spain

Adrian Crespo (Clifford Chance) · Wednesday, August 22nd, 2018

Barcelona Commercial Court no. 5 handed down a judgment quashing the claimant's DNI action without ruling on the merits of (non-)infringement. The Court found that the claimant had standing to file the DNI. However, one of the procedural pre-requisites for a DNI action had not been met: the claimant was neither industrially exploiting any actual products for which it sought a declaration of non-infringement, nor carrying out any "serious and effective preparations" to that end.

Case date: 16 September 2017

Case number: SJM B 682/2017

Court: Commercial Court of Barcelona

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

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