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# Kluwer Patent Blog

## Patent case: Vorverzahnte Werkstücke (Pre-machined toothed workpieces), Germany

Thorsten Bausch (Hoffmann Eitle) · Tuesday, September 4th, 2018

The choice of the starting point for evaluation of inventive step requires a justification which is not in itself provided by the fact that a certain citation proves ex post to be the “closest state of the art”. In particular, it cannot be assumed without further ado that an expert in a technical field in which a large number of current construction solutions exist will fall back on a significantly older state of the art while ignoring these newer solutions.

Case date: 10 January 2017

Case number: X ZR 57/14

Court: Federal Court of Justice of Germany

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

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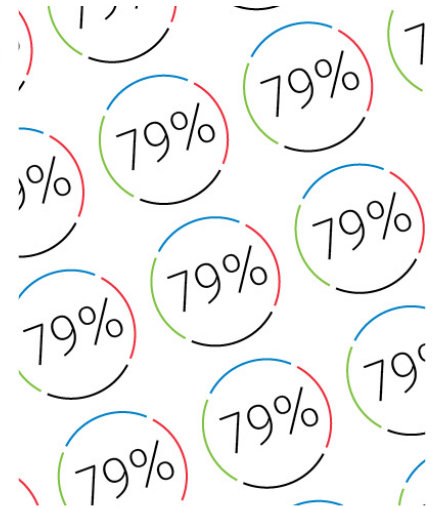
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