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Patent case: Fensterflügel, Germany

Christian Buchholz (Krieger Mes & Graf v. der Groeben) · Monday, March 15th, 2021

The Federal Court of Justice recently addressed the scope of the so-called principle of concentration pursuant to sec. 145 Patent Act. If the patentee has filed an action, a second action based on a different patent against the same defendant is inadmissible in relation to the same or similar embodiments. The FCJ has now clarified that this does not apply to a second action based on the same patent.

Case date: 03 November 2020

Case number: X ZR 85/19 (ECLI:DE:BGH:2020:031120UXZR85.19.0)

Court: Federal Court of Justice of Germany

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

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