

Patent case: Fensterflügel, Germany

Kluwer Patent Blog
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[Christian Buchholz \(Krieger Mes & Graf v. der Groeben\)](#)

Please refer to this post as: *Christian Buchholz, 'Patent case: Fensterflügel, Germany', Kluwer Patent Blog, March 15 2021, <http://patentblog.kluweriplaw.com/2021/03/15/patent-case-fensterflugel-germany/>*

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](#).