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Patent case: Judgment no. 505/2021 of the Supreme Court (Civil Chamber), dated 7 July 2021, Spain

Adrian Crespo (Clifford Chance) · Tuesday, November 2nd, 2021

Judgments from the Spanish Supreme Court on patent cases are a rare occurrence. In a recent decision, the Court rules on insufficiency of disclosure, a revocation ground which – once somewhat of a sideshow – is nowadays a staple of Spanish revocation proceedings. The Supreme Court provides some guidance on trial and error and undue burden and, in the process, also rules on the complex divide between "extraordinary appeals for breach of procedural rules" and substantive appeals on the merits. Given the extreme complexity of getting Supreme Court appeals done right, Spanish patent lawyers might want to read this judgment carefully.

Case date: 07 July 2021
Case number: 505/2021
Court: Supreme Court of Spain, First Civil Law Chamber

A full summary of this case has been published on Kluwer IP Law.

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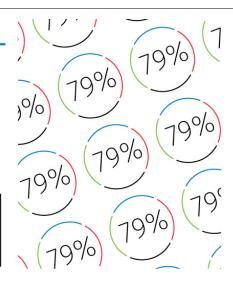
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