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Patent case: Judgment No. 1610/2021 of Barcelona Court of Appeals, Spain

Adrian Crespo (Clifford Chance) · Monday, March 28th, 2022

In a complex case concerning blockbuster cinacalcet, Section 15 of the Barcelona Court of Appeals makes findings on the non-obviousness of inventions consisting of the provision of an unexpected technical effect. In these cases, the technical problem can be reformulated as providing such effect, provided that it is related to the problem initially disclosed in the original application. Furthermore, the Court resists an attempt to broaden the reach of “plausibility”: it does not matter whether the unexpected effect was plausible or not in view of the original application.

Case date: 27 July 2021

Case number: 1610/2021

Court: Court of Appeal of Barcelona

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

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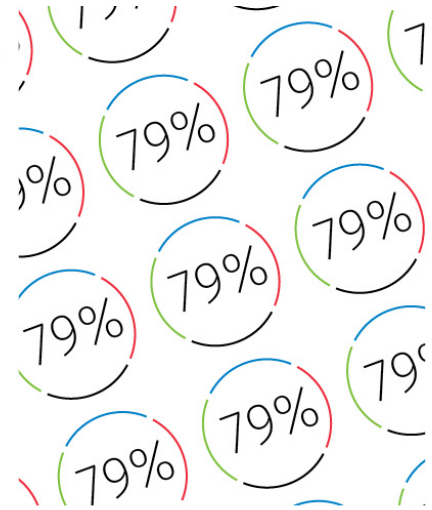
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