## **Kluwer Patent Blog**

## Patent case: Judgment of the Polish Supreme Court, II PK 173/19, Poland

Krystyna Szczepanowska-Kozlowska (Allen & Overy) · Wednesday, May 25th, 2022

The judgment addresses the question of whether an employee's right to additional remuneration from the employer for use of an invention they created depends on whether the employer obtained a patent or - at least - on whether the invention was patentable.

The Polish Supreme Court concluded that the employee is entitled to additional remuneration regardless of whether the employer actually obtained a patent. The employee's right to additional remuneration arises ex lege as a result of the employer's benefit from exploiting an invention and not as a result or on the condition of initiating patent proceedings.

Case date: 08 January 2020 Case number: II PK 173/19 Court: Supreme Court of Poland

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

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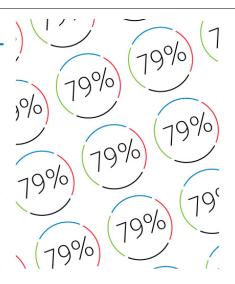
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