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

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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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