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# Kluwer Patent Blog

## Patent case: Judgment no. 141/2023 dated 5 December 2023, Spain

Adrian Crespo (Clifford Chance) · Thursday, February 29th, 2024

In a Judgment dated 5 December 2023 in the landmark fingolimod case, Barcelona Commercial Court no. 10 rejected an action brought on grounds of unfair competition by the holder of a patent application. In unique circumstances, the claimant sought to prevent generic competitors from launching on the market during the pre-grant provisional protection period. Is the story of pre-grant enforcement now a closed chapter in Spain? Not necessarily!

Case date: 05 December 2023

Case number: 141/2023

Court: Commercial Court of Barcelona

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

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