

Germany

“Stabilisation of Water Quality” (Stabilisierung der Wasserqualität)

Decision of the Federal Supreme Court (Bundesgerichtshof)
3 February 2015 – Case No. X ZR 76/13

Patent Act, Sec. 21(1) No. 2

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Keyword Reproducibility

1. Whether an invention has been disclosed so clearly and completely that the person skilled in the art can reproduce it is a question of law, as is the question whether the subject matter of a patent enjoys patentability.
2. The reproducibility of the technical teaching described in a patent claim cannot be regarded as equivalent to the ability to achieve the advantages that are attributed to the invention in the description.

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