Germany

“Kollagenase II”

**Decision of the Federal Supreme Court (Bundesgerichtshof)
25 February 2014 – Case No. X ZB 6/13**

Patent Act, Sec. 4

© Max Planck Institute for Innovation and Competition, Munich 2015

Keywords State of the art · Priority date

- a) The instruction to immobilise a part of the body for several hours immediately after the injection of a pharmaceutical in order to prevent it spreading to other parts of the body is not suggested by the state of the art merely because it was known on the priority date that complications that arise a few days after the treatment can be treated by immobilisation.
- b) The examination whether a specific application of a pharmaceutical is based on an inventive step must also take account of procedures that were obvious to the person skilled in the art because they were part of a doctor's standard repertoire on the priority date.

DW

Official headnotes.