Germany

“Seat Numbering System” (Sitzplatznummerierungseinrichtung)

Decision of the Federal Supreme Court (Bundesgerichtshof)
2 December 2014 – Case No. X ZB 1/13

Patent Act, Sec. 100(3), No. 3

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Keywords Divergent decision of the EPO or a court of another State party to the European Patent Convention · Reasoning

1. A court can in an individual case fulfil the requirement that it take into consideration a decision of the European Patent Office or a court of another party to the European Patent Convention that differs from its own view (Federal Supreme Court, decision of 15 April 2010 – Xa ZB 10/09 – *Roller Forming Machine (Walzenformgebungsmaschine)* [42 *IIC* 363 (2011)]) by discussing the considerations on which the divergent opinion is based in the reasoning of its own decision.

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Official headnotes.