Germany

“Coenzyme Q₁₀” (Coenzym Q₁₀)

**Decision of the Federal Supreme Court (Bundesgerichtshof)
24 February 2015 – Case No. X ZR 31/13**

**Patent Act, Sec. 117; Code of Civil Procedure,
Sec. 529(1) No. 1**

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Keywords Prior art · Subject matter of the patent · Appeal proceedings · Binding effect · Example embodiment

Findings by the patent court that support the conclusion that the reproduction of an example embodiment described in a prior art document leads to the realisation of a feature of the subject matter of the patent at issue are binding in the appeal proceedings unless there are concrete indications that justify doubts as to their accuracy.

DW

Binding effect of first instance statements.