

Germany

“Communication Channel” (Kommunikationskanal)

**Decision of the Federal Supreme Court (Bundesgerichtshof)
11 February 2014 – Case No. X ZR 107/12**

European Patent Convention, Art. 88

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Keywords Priority of an earlier application · Subsequent application

The priority of an earlier application can be claimed if the technical instructions described on the basis of an example for carrying out the invention or otherwise constitute for the person skilled in the art an embodiment of the more general technical teaching described in the subsequent application and if this teaching, in the general nature disclosed in the subsequent application, can already be derived from the earlier application as belonging to the filed invention.

Official headnotes.
