Somi Constanze Micsunescu

Der Amtsermittlungsgrundsatz im Patentprozessrecht

Überlegungen zur Reform des Patentnichtigkeitsverfahrens

[The Principle of the Official Investigation in Patent Litigation Law. Reflections on the Reform of Nullity Proceedings in Patent Cases.]



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In German patent proceedings, the principle of separation applies. In accordance with this principle, patent infringement and nullity actions are to be decided in different proceedings. Patent nullity proceedings, which are within the jurisdiction of the Federal Patent Court and the Federal Supreme Court, are in need of reform. Somi Constanze Micsunescu presents detailed proposals for reform. In doing so, she incorporates other European patent nullity proceedings as well as the European Patent Court.

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