Peter Georg Pitch, "German Law on Patent Injunctions: Legal Framework and Recent Developments", Chicago-Kent Journal of Intellectual Property, Vol. 19, No. 1, 2019, p. 213-252

For patent litigation, Germany arguably is, together with the United Kingdom, the paramount venue in Europe.' Stakeholders, such as patentees, licensees, inhouse and outside counsel, scholars and non-German courts or lawmakers, therefore have a strong interest not only in the established legal framework for patent litigation in Germany, but also in shifts this framework is, of late, undergoing. At the same time, the language barrier complicates insights on these matters, not least for Anglo-American stakeholders, although a slowly increasing part of scholarship, and even of case-law, is available in English. Against this background, the present contribution sets out to explain basic structures and recent developments in German patent injunction law. It covers the main types of and requirements for such injunctions under German law (A.), the injunction's scope as claimed and granted (B.), bifurcation and stays (C.), defenses and limitations (D.), alternatives to injunctive relief (E.), and recent developments (F.), before a conclusion and an outlook (G.) round off the paper.