

# Intellectual Asset Management

## International reports



### Federal Supreme Court rules on infringement of data coding patents

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On 21st August 2012 the Federal Supreme Court ruled in a case against a European disc replicator based on the German parts of European patents essential to implement the MPEG-2 video coding standard.

The court confirmed in its decision the granting of the lower court's cease and desist order because the data generated by the patented video compression method constituted an immediate product of a patented process. According to the court, the compressed video data was protected as long as its characteristic properties were preserved in intermediate products, as well as on a DVD.

The landmark decision has confirmed the protection of an immediate product of a patented process in the digital world, thereby sweeping away legal theories which limited protection to products chronologically treated last by a patented method. Copying "data products" of a patented process constitutes patent infringement as long as the characteristic properties of the data products generated by the patented process are preserved.



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