



Press release of January 19, 2015

BARDEHLE PAGENBERG defends scope of EP 1428470 as granted in opposition procedure before the EPO

iVIS technologies, based in Italy, is one of the world's leading manufacturers of eye surgery devices and software. It has pioneered customized and minimally invasive eye surgery for treating ametropia and various corneal diseases.

For its innovation in corneal lamellar keratoplasty, a transplantation of corneal tissue, iVIS was granted the European patent 1 428 470. In corneal lamellar keratoplasty, a layer of a patient's cornea is removed and replaced by a layer of a donor cornea. Such transplantations may be used to restore the vision of patients who suffer from corneal diseases such as keratokonus.

Based on EP 1 428 470, iVIS initiated an infringement action against the company SCHWIND eye-tech-solutions before the Regional Court of Turin in Italy. In response, SCHWIND eye-tech-solutions GmbH & Co. KG challenged the validity of the patent by filing an opposition at the EPO. BARDEHLE PAGENBERG, together with iVIS' Italian representative, successfully defended the patent against the opposition:

With its decision announced on January 15, 2015, the Opposition Division of the EPO maintained the patent with its independent claim 1 as granted. The decision may be appealed by SCHWIND eye-tech-solutions GmbH & Co. KG.

Representatives for iVIS technologies:

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Dr. Hans Wegner (Patent Attorney and European Patent Attorney, Partner)

Dr. Georg Anetsberger (Patent Attorney, Associate)

Notarbartolo & Gervasi (Milan):

Dr. Orazio Fiume (European Patent Attorney)

Representatives for SCHWIND eye-tech-solutions GmbH & Co. KG:

Dr. Alfons Hofstetter (Hofstetter, Schurack & Partner)

BARDEHLE PAGENBERG combines the professional expert know-how of attorneys-at-law and patent attorneys, European patent attorneys, European trademark and design attorneys, technical advisors and qualified legal counsel. Hand-selected teams of patent attorneys and attorneys-at-law provide top-quality services tailored to the specific needs of the client and the characteristics of the case.

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