

Germany
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I. Software Patents - An Introduction

- A. Frequently Asked Questions About Software Patents
 - 1. Is Software Patentable Subject Matter in Germany?
 - 2. What is a Technical Character and a Technical Contribution?
 - 3. Are Claims to a Computer Program Acceptable?
 - 4. Are Claims for a Data Carrier Necessary?
 - 5. Is a Software Patent Enforceable in Germany?
 - 6. How is a Software Patent Examined by the German Patent and Trademark Office?
 - 7. What is the Difference Between a European Patent Covering Germany and a National German Patent?
 - 8. Should I File a Software Patent Application with the European Patent Office or Rather Nationally with the German Patent and Trademark Office?
- B. Introduction to the Legal System
- C. Overview of the Software Industry

II. Legal Basis According to the Current Patent Act

- A. Patentable (Statutory) Subject Matter
- B. Novelty and Inventive Step

III. How the Patent Office Interprets the Patent Act

- A. Patent Examination Guidelines
- B. Specific Guidelines for Software Patents

IV. Historical Development

- A. Brief History of National Patent Law
- B. Prior Acts and Treaties that Influence Current Patent Law
- C. Noteworthy Case Law

V. Noteworthy Fields of Technology and the Scope of Protection Afforded

- 1. The Logic Verification Decision
- 2. The Speech Analyzing System Decision
- 3. The Search for Faulty Strings Decision
- 4. Decisions Relating to Business Methods
- 5. Practical Recommendations
 - a. Direct Control of 'Natural Forces'
 - b. The Processing of Technical Data
 - c. The Internal Functioning of the Computer

VI. Infringement and Enforcement

- A. Statutory Basis For Software Patent Enforcement
- B. Jurisdictional Issues
- C. How Patent Litigation is Conducted
- D. How Damages are Assessed and Enforced
- E. How Injunctions are Awarded and Enforced
- F. Noteworthy Case Law - Applicable to Enforcement

VI. Future Directions

- A. Where Are We Today
- B. A Forecast of the Future