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Wedel, 20.1.2017

Press Release

Patent infringement by Chinese company KTK on the exhibition InnoTrans in Berlin District Court of Berlin corroborates the interim injunction of Evac GmbH

On the last year exhibition InnoTrans in Berlin from 20 until 23 September 2016 the Chinese KTK Group displayed a compact toilet with a gate valve infringing a patent of the company Evac Train. The company located in Wedel is the world market leader for complete vacuum toilet systems for railway vehicles.

The patent infringement was corroborated by the district court of Berlin enacting an interim injunction so that the illegal offering of the vacuum toilet could be stopped by a court bailiff during the exhibition. The patent infringing vacuum toilet as well as the corresponding catalogue material was confiscated and the further sale by the KTK Group was prohibited by the court injunction.

After the KTK Group had objected to this interim injunction, the legality of the injunction was put on trial before the district court Berlin. After careful verification of the patent infringement examining the confiscated vacuum toilet, the District Court of Berlin came to the conclusion (Decision of the District Court of Berlin dated 20 December 2016 – 16 O 435/16) that the injunction was rightfully enacted since a patent infringement was the case here. Therefore, the issued and enforced injunction was validated by the District Court of Berlin.

By this decision the District Court of Berlin puts an end to illegitimate copies of patented technological know-how of the world market leader Evac GmbH – especially the copy of a vacuum toilet with the particularly designed and patented valve - which was already noticed in foreign markets and now also on a domestic exhibition in Germany. It remains to be seen whether the KTK Group may file an appeal against the decision of the District Court of Berlin but due to the profound judgement of the District Court Evac GmbH will face any further legal steps with confidence.