

3.3.1	Sale to a single customer	105
3.3.2	Making available to a person not skilled in the art	106
3.3.3	A limited circle of people	106
3.3.4	Public library	107
3.4	Obligation to maintain secrecy	108
3.4.1	General	108
3.4.2	Parts for serial production	108
3.4.3	Distribution of prospectuses, technical descriptions	109
3.4.4	Commercial relationships and interests	109
3.4.5	Demonstrating products for presentation purposes	111
3.4.6	Presenting the product in writing	111
3.4.7	Making samples/products available for test purposes	112
3.4.8	Conferences	114
3.4.9	Public availability of documents submitted for standardisation	115
3.4.10	Joint venture and other commercial agreements	115
3.4.11	Paper submitted to obtain an academic degree	116
3.4.12	Medical field	116
3.4.13	Notary	117
3.5	Evidence	117
3.5.1	Burden of proof	117
3.5.2	Standard of proof	117
	a) General	117
	b) Public prior use	118
	c) Internet – proof of the date of availability	118
4	Determining the disclosure of the relevant prior art	119
4.1	General rules of interpretation	119
4.2	Combinations within a prior art document	122
4.3	Taking implicit features into account	124
4.4	Taking intrinsic features into account	127
4.5	Taking equivalents into account	127
4.6	Taking drawings into account	128
4.7	Taking examples into account	129
4.8	Broad claims	130
4.9	Deficiencies and mistakes in a disclosure	130
4.10	Accidental disclosure	131
4.11	Reproducibility of the content of the disclosure	132
5	Ascertaining differences	134
5.1	Comparing each individual item from the prior art	135
5.2	Distinguishing features	135
5.2.1	Difference in wording	136
5.2.2	Differences in values	137
5.2.3	Difference in parameters	138
5.2.4	Difference in composition	139
5.2.5	Functional features	139
5.2.6	Generic disclosure	141
5.2.7	Product claim with process features	141
5.2.8	Non-technical distinguishing features	142