

GRUR

International

Journal of European and International IP Law

Published by the German Association for
Intellectual Property Law (GRUR)

In collaboration with the Max Planck Institute
for Innovation and Competition

www.ip.mpg.de

12/2025
Volume 74 – December 2025

Table of Contents

Editorial

1111 OR BROOK / BARRY RODGER
Decentralised Judicial Review of EU Competition Law Enforcement

Articles

1113 ROSA BALLARDINI / DHANAY CADILLO-CHANDLER / BEATA MÄIHÄNIEMI /
MIKKO KAUNISVAARA / EMMANUEL SALAMI
Untapping Patents to Promote a European Right to Repair: From Exhaustion to Compulsory
Licensing

1127 MARIATERESA MAGGIOLINO / LAURA ZOBOLI
Knowledge Shapes Decisions: The Evolving EU Experience with Tech Giant Mergers

1140 EMMANUEL KOLAWOLE OKE
Armed Conflicts, Pandemics, Intellectual Property Rights, and International Investment Law

Opinion

1151 MARCO STIEF
Pharmaceutical Data and Market Exclusivity: Mechanism and Enforceability of Regulatory
Exclusivities

Report

1161 CAROLINE STECK / PHILIPP KAUTZSCH
Conference Report: European Agricultural Data Governance

Decisions

Belgium **1165** **PATENT LAW**
Business Court (Ondernemingsrechtbank) 23 December 2024 – A/24/02113
Clarifying Notification Requirements for Obtaining a Manufacturing Waiver – Denosumab

		TRADE MARK LAW
China	1172	Supreme People's Court 24 March 2025 – (2025) Zui Gao Fa Xing Zai No. 26 Prior Copyright Protection Not Determined by the Proportion of Work in a Trade Mark – GOOD HOE and Device
		COPYRIGHT LAW
Latvia	1175	Riga Regional Court (Rīgas apgabaltiesa) 8 December 2023 – CA-1307-23/30 Provision of WiFi and 'Smart TVs' Does Not Constitute Phonogram Use – Infringement of Rights in Short-Term Rentals
Poland	1181	Warsaw Court of Appeal (Sąd Apelacyjny w Warszawie) 23 April 2024 – VII AGa 776/23 The Role of Custom as a Justification for the Use of Works under the Right to Quote – Stanisław Lem
Spain	1186	Barcelona Provincial Court (Audiencia Provincial de Barcelona) 5 June 2025 – 731/2025 Art, Fashion Campaigns and NFTs: EU Orthodoxy Restored for Web3 Uses – VEGAP Mango (case note by Begoña González Otero)
		PERSONALITY RIGHTS
Austria	1205	Supreme Court (Oberster Gerichtshof) 26 April 2024 – 6 Ob 210/23k Compensation for Damage Caused by a Storm of Indignation on Social Media – Social Media Defamation of Police Officer