



Oberndorf am Neckar, 20. März 2025

Federal Court of Justice Confirms Validity of Heckler & Koch's "Over the Beach" Patent – Haenel Ultimately Defeated

The company Haenel questioned the validity of the so-called "Over the Beach" patent (OTB), which is held by Heckler & Koch GmbH, and therefore filed a lawsuit seeking to have it declared invalid, aiming to have it legally revoked. The patent protects a coordinated drainage system - particularly for the removal of water - in rifles. These OTB design features are especially relevant for maritime and amphibious special forces, but also for all regular forces, especially when crossing bodies of water, as they ensure the safe firing of a weapon immediately after it is taken out of the water.

Haenel's violation or failure to report the patent to the Federal Government led to their exclusion from the procurement process for the G36 successor assault rifle for the Bundeswehr (models G95A1/G95KA1). Furthermore, this unlawful conduct was definitively classified by the Higher Regional Court of Düsseldorf as a so-called "serious professional misconduct" by Haenel, resulting in their suspension from participating in public tenders for several years.

The Federal Court of Justice (BGH), as the sole appellate authority, has now made a final decision on 18/03/2025 regarding the legal validity of this patent and confirmed it in favour of Heckler & Koch.