

USA: Ericsson Incorporated v. Intellectual Ventures I LLC, United States Court of Appeals, Federal Circuit, No. 2016-1671, 29 May 2018

Kluwer Patent Blog

June 5, 2018

Cheryl Beise (Wolters Kluwer Legal & Regulatory US)

Please refer to this post as: Cheryl Beise, 'USA: Ericsson Incorporated v. Intellectual Ventures I LLC, United States Court of Appeals, Federal Circuit, No. 2016-1671, 29 May 2018', Kluwer Patent Blog, June 5 2018, http://patentblog.kluweriplaw.com/2018/06/05/__trashed/

The Patent Trial and Appeal Board's conclusion following inter partes review that a cellular communications patent directed to frequency hopping owned by Intellectual Ventures I LLC was invalid and anticipated was not supported by substantial evidence, the U.S. Court of Appeals for the Federal Circuit had held. Among other things, the Board erred in invalidating independent claim 1 based on irrelevant disclosures in the specification. The Board's decision as to claim 1 was reversed, and its invalidation of the remaining dependent claims was vacated and remanded. In a dissenting opinion, Circuit Judge Wallach opined that the majority improperly substituted its own factual findings for those of the Board (Ericsson Incorporated v. Intellectual Ventures I LLC, May 29, 2018, Newman, P.).

A full summary of this case has been published on [Kluwer IP Law](#).