# Kluwer Patent Blog

## USA: Cablz, Inc. v. Chums, Inc, United States Court of Appeals, Federal Circuit, No. 2016-1823, 12 September 2017

Thomas Long (Wolters Kluwer Legal & Regulatory US) · Tuesday, September 26th, 2017

Substantial evidence supported a Patent Trial and Appeal Board decision finding a patent for an eyewear retention device unpatentable as obvious, the U.S. Court of Appeals for the Federal Circuit has held. A prior art device created by a fisherman and described in a newspaper article made use of a "resilient" retainer—as claimed by the challenged patent—that extended backwards in a stiff manner so that it did not rest on the wearer's neck. Other prior art references could be readily combined with this device to meet the other claim limitations. The Board did fail to adequately explain a motivation to combine the prior art, in the court's view (Cablz, Inc. v. Chums, Inc., September 12, 2017, Reyna, J.).

A full summary of this case has been published on Kluwer IP Law.

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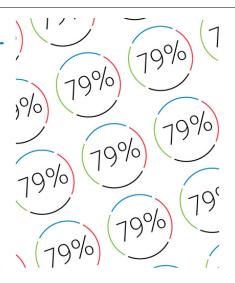
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