

Winston Secures Federal Circuit Victory for Snap Axing Image-Presentation Patents on the Pleadings

MAY 15, 2025

Ask Sydney sued Snap along with four large tech companies in the Western District of Texas, Waco Division, asserting infringement of two related patents on methods of generating and presenting images to a user to determine the user's interest. Working closely with Snap, Winston successfully moved to transfer the case to the Central District of California, then moved for judgment on the pleadings of patent-ineligibility under § 101 of the Patent Act. Following a hearing with multiple rounds of argument, the district court granted the motion, adopting Winston's arguments that distinguished findings by the patent examiner during prosecution and by the Western District of Texas, which had denied § 101 motions brought by two other defendants. Ask Sydney appealed, but the Federal Circuit summarily affirmed three days after oral argument, handing Snap a decisive win invalidating all claims of both asserted patents. Eimeric Reig led the strategy and argued the appeal and motion hearing, working with Kathi Vidal and Kelly Hunsaker.

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