

CoreLogic® Awarded Summary Judgment in CollegeNET Lawsuit

NOVEMBER 11, 2011

On November 8, 2011, Winston & Strawn client MarketLinx, Inc. was awarded summary judgment by the United States District Court for the Western District of Texas (Austin), finding that the patent asserted against it by Plaintiff, CollegeNET, Inc., was invalid as obvious. MarketLinx provides internet software to regional multiple listing services that is used by realtors to list homes for sale, search for homes, and automatically notify customers when newly listed homes meet their interests. CollegeNET owns United States Patent No. 6,910,045, which relates to computer software that will send an automatic notification when data is entered into a database that matches pre-defined search criteria. MarketLinx filed a motion for summary judgment that CollegeNET's patent claims were invalid as anticipated and obvious. Judge Sam Sparks granted MarketLinx' motion, finding that CollegeNET improperly attempted to narrow its claim scope to avoid invalidity. The Court stated that, when properly construed, CollegeNET's claims were likely anticipated by MarketLinx' cited references, but in any case were obvious in view of the two references combined.

Winston & Strawn former partner based in the firm's Houston office, represented MarketLinx, a subsidiary of CoreLogic.

UPDATE: On June 19, 2012, the U.S. Federal Circuit Court of Appeals affirmed the lower court's decision, holding that the patent asserted against MarketLinx was invalid as obvious.

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