USPTO Affirms Five Credit Card Patents for Morley/REM Holdings

The U.S. Patent and Trademark Office's Patent Trial and Appeal Board (PTAB) has issued a final written decision confirming the patentability of five patent claims covering card-reader technology invented and owned by Washington University Professor Dr. Robert E. Morley Jr. In its decision, the PTAB rejected a series of challenges to U.S. Patent No. 8,584,946 filed by San Francisco-based mobile credit card processing company Square Inc.

The patent claims upheld by the PTAB in the July 7 decision also are being asserted by Morley against Square in a separate patent infringement lawsuit filed in the United States District Court for the Eastern District of Missouri.

Attorneys Brad Caldwell, Jason Cassady and Austin Curry of Dallas' Caldwell Cassady & Curry represent Morley in the Missouri court proceedings. Caldwell also defended the '946 patent at the PTAB trial heard in March in Washington, D.C.

Since the America Invents Act was signed into law in 2011, more and more companies have challenged patents in *inter partes* review trials before the PTAB, which largely has ruled in favor of patent challengers. Recent statistics show that only 18 percent of claims instituted in PTAB proceedings are confirmed.

"We're very glad that the Board found in our client's favor on five separate claims," says Caldwell. "Square built its company around Dr. Morley's inventions. We continue to believe that Square should take responsibility for its flagrant infringement of Dr. Morley's patents, and we are honored to help him make sure that happens."

Dallas-based Caldwell Cassady & Curry represents clients in intellectual property disputes and commercial litigation claims. The firm is home to trial lawyers who have tried and won some of the biggest verdicts of the past decade against some of the largest companies in the world.