

NextCard Disclaims and Dedicates to the Public Patent Challenged by Askeladden

NextCard also requests adverse judgment in pending inter partes review proceeding requested by Askeladden.

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NextCard, LLC recently filed a submission with the United States Patent and Trademark Office disclaiming and dedicating to the public U.S. Patent No. 7,552,080 (the “’080 patent”). Askeladden L.L.C., as part of its Patent Quality Initiative, had filed a petition for *inter partes* review (IPR) of the ’080 patent owned by NextCard with the Patent Trial and Appeal Board (PTAB). NextCard also requested adverse judgment in the pending IPR proceeding.

In its IPR petition, Askeladden argued that the ’080 patent’s claims, which relate to providing customized offers (e.g., credit card offers) based on terms requested by an applicant, were obvious in light of prior art in existence at the time the application for the ’080 patent was filed.

“We are pleased with the dedication of the NextCard patent to the public,” said Sean Reilly, General Counsel of Askeladden. “This outcome ensures that this questionable patent cannot be used to undermine innovative activity through assertion in meritless patent suits.”

Askeladden’s Patent Challenge Committee challenged the NextCard patent as part of Askeladden’s efforts to address poor quality patents. Askeladden’s Patent Challenge Committee consists of former U.S. District Judge Roderick McKelvie, the Honorable Gerald Mossinghoff, former Assistant Secretary of Commerce, Commissioner of Patents and Trademarks (1981-1985), and Professor John Thomas of the Georgetown University Law Center.

Askeladden is represented by Kilpatrick Townsend & Stockton LLP.

About Patent Quality Initiative

Askeladden is an education, information and advocacy organization with the goal of improving the understanding, use and reliability of patents in financial services and other industries. As part of its Patent Quality Initiative, Askeladden strives to promote better patents and patent holder behaviors by regularly filing amicus briefs, *inter partes* reviews (IPRs) and engaging in educational activities. For more information, visit patentqualityinitiative.com.