

# Microsoft request for patent suit review is nixed

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A federal appeals court on Thursday rejected Microsoft Corp.'s request to review a \$290 million patent ruling involving the software maker's popular word processing program.

Microsoft had asked the U.S. Court of Appeals for the Federal Circuit for a review by its full roster of judges. In December, a three-judge panel from that court had upheld a lower court ruling that Microsoft infringed on patents held by i4i Inc., a Canadian software company.

Toronto-based i4i sued Microsoft in U.S. District Court in Tyler, Texas, in 2007, saying it owned the technology behind a tool used in Microsoft Word. The technology in question gives Word users an improved way to edit XML, which is computer code that tells the program how to interpret and display a document's contents.

A federal jury found that Microsoft Word willfully infringed on the patent, and the judge overseeing that case ordered Microsoft in August to pay i4i \$290 million and stop selling versions of Word containing the infringing technology.

In December, the appeals court panel upheld the damage award and the injunction, which took effect in January. At the time, Microsoft said it was readying versions of Word that did not contain the technology in question.

In a statement Thursday, i4i said it's delighted with the outcome. Redmond, Wash.-based Microsoft said it is disappointed and is considering its options for going forward. That could include an appeal to the U.S. Supreme Court, though the high court accepts relatively few cases for review.

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