

# Court Denies Vonage Bid for Patent Case Retrial

4 May 2007

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A U.S. appeals court denies a request by Internet phone company Vonage Holdings that it order a retrial in the patent infringement case brought against it by Verizon Communications.

The U.S. Court of Appeals for the Federal Circuit, in a ruling dated Wednesday, turned down a motion by Vonage to have an infringement verdict by a lower court vacated because of a landmark patent ruling by the U.S. Supreme Court on Monday.

The appeals court said Vonage can cite the new Supreme Court ruling as part of its pending appeal of the case.

Vonage had argued that the March 8 infringement verdict in favor of Verizon should be reconsidered after the Supreme Court loosened a key legal standard, making it easier to invalidate some patents on the grounds they are obvious inventions.

Verizon wants to stop Vonage from using its patented technologies. A federal jury in March found Vonage had infringed three patents.

On April 6, a federal judge in Alexandria, Virginia, said he would bar Vonage from adding new customers while it appeals the patent infringement finding. However, the federal circuit appeals court has stayed the injunction while Vonage appeals the case.

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APA citation: Court Denies Vonage Bid for Patent Case Retrial (2007, May 4) retrieved 20 November 2019 from <https://phys.org/news/2007-05-court-denies-vonage-patent-case.html>

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