

Askeladden Seeks *Inter Partes* Review of Encoditech Patent Asserted in More than Thirty Lawsuits

Asserts that claimed systems and methods for secure mobile communications were known and obvious

For Immediate Release:

Date: December 9, 2016

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New York, NY - Askeladden LLC, as part of its Patent Quality Initiative, filed a petition for *Inter Partes* Review (IPR) with the Patent Trial and Appeal Board (PTAB) yesterday seeking review of U.S. Patent No. 6,321,095 assigned to Encoditech, LLC. Encoditech has asserted infringement of its patent in thirty-three lawsuits against a wide variety of companies including American Express, Best Buy, LinkedIn, and Under Armour.

Encoditech's patent claims methods and systems for establishing direct and secure communications between mobile devices. Askeladden's IPR petition asserts that the patent's claims were known and obvious at the time the application for the patent was filed and therefore should be found unpatentable by the PTAB.

Askeladden highlights the fact that the issued version of claim 7 of Encoditech's patent was rejected by the Patent Office during examination, and an amendment made to overcome the rejection was inadvertently omitted from the patent when it issued. Encoditech has not tried to correct this error, but rather has asserted infringement of claim 7 in litigation.

"Our goal is to promote and protect innovation in the financial services sector and other industries," said Sean Reilly, General Counsel of Askeladden. "Litigation based on invalid patents that should not have been issued needlessly diverts valuable resources away from research and product development."

Askeladden's [Patent Challenge Committee](#)—which is comprised of individuals regarded as thought leaders with respect to the patent system—decided to challenge this patent through the IPR process as part of Askeladden's Patent Quality Initiative.

Askeladden is represented by Amster, Rothstein & Ebenstein 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.