

Leader v. Facebook to the U.S. Supreme Court?

COLUMBUS, Ohio, May 8, 2012 (SEND2PRESS NEWSWIRE) – Today a Federal court denied the [appeal](#) of Leader Technologies in the Leader v. Facebook patent infringement case. “This is suspiciously convenient timing for Facebook, coming hours after the Facebook roadshow commenced in New York,” said CEO Mike McKibben, referring to Facebook’s IPO kickoff yesterday.

According to McKibben, a lower court held that Facebook violated Leader’s patent on 11 of 11 claims, but then invalidated Leader’s patent by finding that Leader had tried to sell its technology too soon (“on-sale bar,” in legal parlance.)

“Leader asked the Federal Circuit to overrule this verdict, because the company’s patent interests were protected by a ‘no-reliance’ agreement that negated any possibility of making offers before we had signed contracts,” said McKibben. “But the court ignored these agreements, accepted Facebook-doctored evidence, and misquoted my testimony to justify their decision.”

“We are extremely disappointed,” McKibben added. “The appeals process is supposed to correct legal errors by juries, not simply root around for new evidence to justify not overturning a jury that was fooled by Facebook tricks.”

McKibben may appeal to the U.S. Supreme Court. “We firmly believe that the jury erred in their one finding against Leader,” he says. “Facebook is using our invention, as the jury agreed, without our permission. This court just condoned hacking of intellectual property and fabrication of evidence as acceptable business practices.”

The case is Leader Technologies Inc. v. Facebook Inc., 2011-1366, U.S. Court of Appeals for the Federal Circuit (Washington). The lower court case is Leader Technologies Inc. v. Facebook Inc., 08-cv-862, U.S. District Court, District of Delaware (Wilmington).

More information about Leader: <http://www.leader.com> .

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