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Subject: Anyone following the E-Bay Patent case in front of the Supreme Court now?

Posted by [Manualblock](#) on Wed, 29 Mar 2006 19:38:42 GMT

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They look like they may rule against the rights of E-Bay to patent a patently silly claim. Roberts Asked "That's like a supermarket patenting the sale of vegetables." Frivolous they call it. He said in another statement, "It's not like they are patenting the internal combustion engine or something." The analysis is that basically you better have something serious to patent before they will extend you that level of protection. They are calling mercexchange a "Patent Troll." They say they are; "Stifling Competition." Should be interesting. The lower court refused to grant an injunction.

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Subject: Re: Anyone following the E-Bay Patent case in front of the Supreme Court now?

Posted by [Bill Martinelli](#) on Thu, 30 Mar 2006 13:25:49 GMT

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Havn't seen that one. What about apple v apple? apple records & apple computer

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Subject: Re: Anyone following the E-Bay Patent case in front of the Supreme Court now?

Posted by [Manualblock](#) on Thu, 30 Mar 2006 13:56:19 GMT

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I haven't followed that one only because it really only affects Apple; doesn't really have any relevance to things like DRM and other stuff that affects you'all and me'all. The E-Bay case will define when and where injunctions against companies for patent violations can be used. Many of these so-called patents are bogus; this company Medcovore or something wants to enjoin E-Bay from using its Buy-It-Now feature because they claim they patented that concept a couple yrs before E-Bay used it. That's why Roberts asked, "Isn't that like a supermarket patenting the sale of vegetables?" Those sniper companies use the injunctive relief as a weapon to strong-arm companies into giving up when they have every right to fight because it is too costly to stop production; so the victims give in and pay the extortion the snipes are asking.