

## Susman Godfrey Scores Federal Circuit Win In Patent Battle Against AT&T

In a precedent-setting decision the Federal Circuit revived a patent infringement lawsuit brought by Susman Godfrey client Bascom Global Internet Services against AT&T. The ruling overturned a lower court's decision that the Bascom patent was ineligible when viewed under the test established by the U.S. Supreme Court's *Alice* decision. This is one of the first cases to uphold a software patent under *Alice* after a string of losses doled out to plaintiffs by the appellate court. Law.com noted that the decision in *BASCOM* shows that the "death" of software patents is exaggerated.

The Federal Circuit held that the Bascom patent, which involves a method for filtering Internet content, contained "an inventive concept" that satisfied *Alice*. "The claims do not merely recite the abstract idea of filtering content along with the requirement to perform it on the Internet, or to perform it on a set of generic computer components," Judge Chen wrote. "Nor do the claims preempt all ways of filtering content on the Internet; rather, they recite a specific, discrete implementation of the abstract idea of filtering content."

The case will now proceed in the Northern District of Texas.

For more, see coverage by [Law360](#) (subscription required), [Law.com](#) and [Reuters](#).

Susman Godfrey partner [Arun Subramanian](#) served as lead counsel to Bascom in the case, assisted by [Daniel Shih](#) and [Jordan Connors](#).