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Sept. 23: Microsoft Likely To Prevail In I4i Appeal, According to LegalMetric

Media Advisory

ST. LOUIS/EWORLDWIRE/Sep. 18, 2009 --- Microsoft is likely to win its appeal on a patent infringement case involving technology used in its Word products, according to LegalMetric, a St. Louis litigation research company.

Microsoft lost a patent litigation brought by the patent owner, i4i, in the U.S. District Court for the Eastern District of Texas. The court there entered an injunction against Microsoft and awarded the patent owner more than \$240 million. The injunction was temporarily stayed by the court of appeals in Washington, D.C., and an expedited appeal schedule was set. Oral argument on that appeal is set for next Wednesday, Sept. 23.

Greg Upchurch, director of research for LegalMetric and author of a widely used book on patent litigation, announced that LegalMetric's research reveals that the patent owner, i4i, has a 30 percent chance of winning on appeal. Microsoft has almost a 45 percent chance of winning, based upon LegalMetric's research into past decisions of the court of appeals, and there is a one-in-four chance that the appeals court will send the case back to the district court for further proceedings.

LegalMetric's research reveals that the outcome could be greatly affected by the judges who hear the case on appeal. Cases on appeal are typically decided by a panel of three judges, selected at random from the judges on that court. "If the most favorable judges for the patent owner decide the case," said Upchurch, "i4i's chances of winning rise to slightly over 40 percent. Judges most favorable to Microsoft's legal position could raise the probability of Microsoft winning to over 50 percent."

LegalMetric has provided litigation data and analysis to law firms, corporations, and financial institutions for the past seven years. For more information, contact LegalMetric at (314) 965-3001.

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