

Patent Troll Targets Angry Birds



mobile device application (or “app”).

No one can argue that the proliferation of patent trolls (companies who buy up patents with no intention of using them other than to license them and sue anyone perceived to be infringing upon them) has become big, profitable business in the U.S. Patent trolls have become a real nuisance for small companies hoping to one day turn a profit by licensing or selling their own technology, often in the form of computer applications software, to larger established companies like Apple or Google. This is especially true when the target of a patent troll is a small company which makes a very popular

Lodsys, LLC, a company which touts itself as the owner and licensor of certain patents which allow “companies to interact with users of their products and services,” is quickly becoming reviled amongst mobile device application developers as a patent troll.

In its most recent unpopular step, Lodsys filed an amended complaint in U.S. Federal District Court for the Eastern District of Texas, naming, among others, Rovio Mobile Ltd. as a defendant to patent infringement allegations. Rovio is the developer of the wildly successful game “Angry Birds” which can be found on virtually every iPhone and iPad Android platform in existence. Rovio isn’t alone as a named defendant, sharing the title with big time entertainment industry players such as Atari Interactive, Inc. and Electronic Arts, Inc., but it is unique in being targeted by Lodsys because Rovio is still a relatively small company. The obvious ploy is to bludgeon small companies into quick, lucrative settlements and avoid expensive, protracted litigation - exactly why Lodsys has drawn the industry’s ire.

Luckily for Rovio, it has allies like Apple. Protective of its market and valuable independent application developers, Apple has stepped into the middle of the action through its General Counsel, Bruce Sewell, who bluntly informed Lodsys’ CEO, Mark Small, “There is no basis for Lodsys’ infringement allegations against Apple’s App Makers.” Sewell stated that Apple “is fully prepared to defend Apple’s license rights.”

Who will ultimately prevail, the “birds” or the “trolls,” remains to be seen, but regardless of the outcome the patent battle promises to be a long one.