

Federal Circuit Affirms Sweet Win for SweeGen in Patent Invalidity Battle

On January 2, 2024, Sterne, Kessler, Goldstein & Fox earned a patent infringement victory at the U.S. Court of Appeals for the Federal Circuit for client SweeGen Inc. regarding a natural non-caloric sweetener used in food and drinks. The Federal Circuit affirmed a district court decision granting defendant-appellee SweeGen's motion for Summary Judgment of patent invalidity, holding all claims of the asserted patents invalid for inadequate written description under 35 U.S.C. § 112, and further holding certain claims invalid for claiming ineligible subject matter under 35 U.S.C. § 101. The case is *PureCircle USA Inc., et al. v. Sweegen, Inc., et al.*

For reference, the Federal Circuit opinion is posted [here](#), and the lower court's decision is available [here](#). The press release issued by SweeGen regarding this win may be viewed [here](#).

The Sterne, Kessler, Goldstein & Fox team representing SweeGen Inc. was led by Director [J.C. Rozendaal](#) and includes: Directors [Dennies Varughese, Pharm.D.](#), [Deirdre M. Wells](#), [Michael Joffre, Ph.D.](#), [Peter A. Jackman](#), [Marsha Rose Gillentine, Ph.D.](#), and [Anna G. Phillips](#); Counsel [Sasha S. Rao](#); and Associates [Adil B. Moghal, Ph.D.](#), and [Ryan E. Conkin](#), with special assistance provided by Director [Jorge A. Goldstein, Ph.D.](#)

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