

## **Sterne Kessler Wins Appeal of PTAB Decision for Beable Education**

Sterne, Kessler, Goldstein & Fox is pleased to announce the U.S. Court of Appeals for the Federal Circuit affirmed the U.S. Patent Trial and Appeal Board's (PTAB) decision regarding U.S. Patent No. 9,652,993, in a win for client Beable Education, Inc.

The '993 patent describes an e-learning system for providing customized reading material and is owned by Achieve3000, Inc. In July 2021, Sterne Kessler filed a petition at the PTAB on behalf of Beable Education, Inc., arguing that the claims of the '993 patent are invalid as obvious. In January 2023, after a full trial, the PTAB issued a final written decision that invalidated all claims. Achieve3000 appealed the PTAB's decision to the Federal Circuit. The Federal Circuit, with Chief Judge Moore and Judges Cunningham and Mazzant (sitting by designation) on the panel, affirmed the PTAB's decision in a Rule 36 affirmance.

The case is 2023-1605, *Achieve3000, Inc. v. Beable Education, Inc.* (appealed from IPR2021-01169). Sterne Kessler Directors [Robert Sokohl](#), [Byron Pickard](#), and [Richard Bemben](#) represented Beable Education at the Federal Circuit and before the PTAB. Associate [Todd Thurheimer](#) assisted before the PTAB.