

Blackboard, competitor reach agreement to end court fight

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iParadigms LLC has agreed not to sue educational software company Blackboard Inc. to settle a lawsuit.

Both companies sell online learning platforms for educational institutions. D.C.-based Blackboard provides software that universities and high schools use to put course materials and other information online. In July it released a new plagiarism detection feature.

Oakland, Calif.-based iParadigms sells online applications to identify plagiarism.

iParadigms received a patent May 15 related to technology for conducting a peer review process and evaluating the originality of documents.

Blackboard filed a lawsuit Aug. 3 asking a California federal court to prevent a patent infringement lawsuit by iParadigms and issue a finding that the company's new patent is invalid. Blackboard chief legal officer Matt Small said his company began receiving "threatening" letters from iParadigms July 6.

Legal experts said Blackboard would need to have convinced a judge that the company had a reasonable fear that iParadigms would sue for infringement to secure an order preventing a case before one was ever filed.

Before the settlement, both companies appeared to be looking for a way to shortcut a trial.

Blackboard's Small said he would not see the need to challenge iParadigms' patent if the company agreed to not assert it against Blackboard.

And iParadigms CEO John Barrie made statements that he had no intention of suing Blackboard and just wanted to go back to being business partners. By settling the case, Barrie heads off a potential legal ruling on the validity of his company's patent.

iParadigms has made its Turnitin product compatible with Blackboard for years through a developer partnership program. Blackboard said that will continue.

"This ecosystem of vendors whose solutions integrate with Blackboard software is vital to the continued evolution of e-learning solutions and offers Blackboard's clients the flexibility and choice to further enrich their teaching and learning experience based on their specific needs," both companies said in a joint statement.

Blackboard (NASDAQ: BBBB) continues to litigate its own patent infringement suit against smaller competitor **Desire2Learn Inc.** Blackboard is suing Canadian-based Desire2Learn in federal court for allegedly infringing on a patent Blackboard received in January 2006 for a system and method of online education.

The company's maneuvers have been criticized by some developers and university technology professionals who say Blackboard's actions could limit the ability of others to advance online education technology.