

Joe Matal in IP Watchdog: ‘Interactive Wearables is Not the 101 Case That You’ve Been Waiting For’

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Haynes Boone Partner **Joe Matal** published an article in *IP Watchdog*. Read an excerpt below:

On October 3, the U.S. Supreme Court once again requested the views of the Solicitor General (SG) in a Section 101 case, *Interactive Wearables v. Polar Electric Oy*.

Last summer, there was excitement in the patent community when the SG, whose advice the Court usually follows, recommended granting review in *American Axle v. Neapco*. Although that petition was ultimately denied, this new case purports to fit the mold of *American Axle*. This has led some to hope that Interactive Wearables will also get the nod from the SG—and perhaps High Court review.

To those eager for a Supreme Court decision that reins in patent eligibility jurisprudence, however, I regret to inform you that Interactive Wearables will not be that case. This case is quite unlike *American Axle*—and its claimed invention is in the heartland of what should be ineligible subject matter.

It is not hard to see why the Supreme Court’s interest was piqued by the petition in Interactive Wearables. It states that the patent is for “a display screen integrated into a wirelessly coupled remote control,” constituting a new device that was “not conventional at the time of the claimed inventions.”

Excerpted from *IP Watchdog*. Read the full article [here](#).