CAMPUS TECHNOLOGY

News

Blackboard Wins Lawsuit Against Desire2Learn

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By Dian Schaffhauser

Blackboard has prevailed in an e-learning patent dispute against Desire2Learn. A federal jury in Lufkin, TX made the determination Friday afternoon, following a two-week trial. Blackboard was seeking $17 million in lost revenue, as well as an injunction against the company, which is based in Canada.

After a day of deliberation, the jury found the patent valid but suggested that Blackboard should be awarded only $3 million, according to coverage posted on Desire2Learn's Web site.

During the trial, Blackboard called as an expert witness, Mark Jones, a professor of electrical and computer engineering at Virginia Tech, earlier retained by the company to prove the specifications of its patent and dissect the counter-claims by Desire2Learn.

Desire2Learn called as an expert witness Fred Hofstetter, a member of the faculty at the University of Delaware. Hofstetter created Serf, a Web-based distance education environment first introduced in 1997, prior to Blackboard's introduction of its own virtual learning system.

Following the judgment, Desire2Learn quickly moved to reassure its customers that business would continue as usual. "There is no immediate threat to you our clients," wrote John Baker, Desire2Learn president and CEO, in the prepared statement. "We will work with you to ensure there are no future issues. We are financially sound and are confident of our ability to work through this matter."

The company said it would continue to challenge the patent's validity and Blackboard's charges of infringement. The United States Patent and Trademark office will be reviewing the patent.

Dian Schaffhauser covers high tech, business and higher education for a number of publications. Contact her at dian@dischaffhauser.com.

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