



Written by [Steven J. DuBord](#) on September 7, 2009

Microsoft Gets Reprieve on Word Ban

Microsoft has obtained a stay against a court injunction that would have prevented the company from selling its Microsoft Word software until an appeal could be filed, Channel Web reported on September 4.

Canadian firm i4i won in May a \$200-million verdict after jurors decided that Microsoft had “willfully infringed an i4i patent covering a document system that relies on the XML custom formatting function.” The court had established an October 10 deadline for the software giant to modify Word so that the program no longer infringed on i4i’s patent.



This would have been difficult because Word relies on XML for its .docx document format. The stay eases the pressure on Microsoft, giving it the freedom to continue selling Word while preparing to appeal the decision in court on September 23.

At least part of the reason that Microsoft won the stay is because Hewlett-Packard and Dell rallied to its side. On August 26, the two computer makers sought permission to file amicus briefs on behalf of Microsoft’s appeal.

“We are happy with the result and look forward to presenting our arguments on the main issues on Sept. 23,” Microsoft spokesman Kevin Kutz declared in a statement. Executives with i4i are equally optimistic about their chances.

“Microsoft’s scare tactics about the consequences of the injunction cannot shield it from the imminent review of the case by the Federal Circuit Court of Appeal on the Sept. 23 appeal,” i4i Chairman Loudon Owen noted in a statement. “I4i is confident that the final judgment in favor of i4i, which included a finding of willful patent infringement by Microsoft and an injunction against Microsoft Word, was the correct decision and that i4i will prevail on the appeal.”

As part of the Microsoft Office suite, Word is a flagship product for Microsoft, and the company could lose huge sums of money if the software could no longer be sold as is. It remains to be seen if i4i’s claim withstands Microsoft’s appeal. Hopefully the court receives and examines all the relevant data and renders a just judgment.

Microsoft will either dodge a bullet by emerging victorious or find that its decision to adopt XML was a grievous error. Only time will tell.

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