

Appeals Court Affirms the Invalidation of Achieve3000's Patent in a Decisive Win for Beable Education

The decision is an important step forward to allow Beable to continue to provide school districts nationally with its Life-Ready Literacy® platform.

LAKESWOOD, NJ, UNITED STATES,
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-- 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, entitled "Method and

apparatus for providing differentiated content based on skill level," ruling in favor of Beable

Education and invalidating Achieve3000's patent. Achieve3000, Inc. is a division of McGraw Hill, a Platinum Equity portfolio company.



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Saki Dodelson

The ruling against Achieve3000 culminated proceedings that started in July 2021, when Beable Education – in response to Achieve3000 suing Beable Education for patent infringement - filed a petition at the PTAB arguing that the claims of Achieve3000's '993 patent are invalid. In January 2023, after a full trial, the PTAB issued a final written decision that invalidated all claims in the '993 patent. Achieve3000 appealed the PTAB's decision to the Federal Circuit. The Federal Circuit has now affirmed the PTAB's decision.

This decision on behalf of Beable Education is an important step forward to allow Beable to continue to provide school districts nationally with its Life-Ready Literacy® platform. Beable was represented in the matter by Sterne, Kessler, Goldstein & Fox.

Beable® is a women-owned public-benefit corporation led by Saki Dodelson. The company's

mission is to exponentially accelerate literacy for all students, while creating equitable and personalized pathways to gainful employment. Beable delivers on this mission through the next-generation Life-Ready Literacy® platform that closes the literacy and opportunity gap for all.

A revolutionary, multidimensional platform leveraging advanced technology and evidence-based methodologies, Beable cultivates the whole child by intertwining literacy acceleration, career exploration, personal growth, and academic rigor in a single system. It provides grade-level content and targeted scaffolds at each learner's reading level in English and Spanish, with translation support in 100+ languages. The Life-Ready Literacy platform has won a CODiE Award for the Best Advanced Reading/Writing/Literature Instructional Solution. The company also provides Beable Prep, an ultra-personalized online ACT/SAT prep solution.

Additional notes and case specifics: 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).

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About Beable

Beable is a women-owned public-benefit corporation launched by ed-tech visionary Saki Dodelson and the co-founders of Achieve3000®. With Beable, Dodelson and her team are pursuing an ambitious and essential mission: to exponentially accelerate literacy for all students, while creating personalized pathways to gainful employment. Beable delivers on its charter by providing K-12's first Life-Ready Literacy platform, a revolutionary, multi-dimensional system that enables all students to accelerate literacy gains by 5X expected annual growth by intertwining literacy, career exposure, personal growth, and academic rigor in a single system. Powered by K-12's most advanced technology, Beable addresses today's educational challenges, specifically helping students recover from learning loss caused by the pandemic and building the stronger literacy skills now required for every job—from blue to gray to white collar. The Beable Life-Ready Literacy platform has won a CODiE Award for the Best Advanced Reading/Writing/Literature Instructional Solution. Beable also provides Beable Prep, the ultra-personalized online ACT/SAT prep solution that leverages students' unique strengths to build test-taking skills and cognitive flexibility. Learn more at <http://www.beable.com>

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